Notice of Determination

Appendix D

To:
☒ Office of Planning and Research
For U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St. Sacramento, CA 95814

☒ County Clerk
County of: Sutter
Address: 1160 Civic Center Boulevard
Yuba City, CA 95993

From:
Public Agency: City of Yuba City, Public Works Department
Address: 1201 Civic Center Boulevard
Yuba City, CA 95993
Contact: George Musallam
Phone: (530) 822-4634

Lead Agency (If different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (If submitted to State Clearinghouse): 2010032063

Project Title: Feather River Parkway/Willow Island Project

Project Location (include county): Yuba City, Sutter County

Project Description:

The City of Yuba City (City) is proposing the Feather River Parkway/Willow Island Project (Project). The Project would implement recreational improvements and convert the Willow Island area into a river front park. The City received funding for the Project from the State of California Resources Agency, through the Proposition 50 California River Parkways Grant Program. The Project improvements would include pedestrian and cycling trails, public parking, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. In addition, the Project would include public educational displays and interpretive signage to describe the setting of the viewable habitat. The proposed Project is a portion of the City's 2002 Feather River Parkway Strategic Plan.

This is to advise that the City of Yuba City, Public Works Department has approved the above described project on
☒ Lead Agency or ☐ Responsible Agency

May 18, 2010 (Date) and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final MND with comments and responses and record of project approval is available to the General Public at:
City of Yuba City, Public Works Department

Signature (Public Agency) _____ Title Public Works Director

Date 5/19/10 Date Received for filing at OPR _____

RECEIVED
MAY 19 2010
STATE CLEARING HOUSE

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2005

Feather River Parkway/ Willow Island Project

Initial Study/Proposed Mitigated Negative Declaration

March 18, 2010

SCH# 2010032063

Prepared for

Public Works Department
1201 Civic Center Boulevard
Yuba City, CA 95993

Prepared by

1024 Simon Drive, Ste. H/
P.O. Box 2260
Placerville, CA 95667

NOTICE OF PUBLIC REVIEW AND
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

The City of Yuba City (City) is proposing the Feather River Parkway/Willow Island Project (Project). The Project would implement recreational improvements and convert the Willow Island area into a river front park. The City received funding for the Project from the State of California Resources Agency, through the Proposition 50 California River Parkways Grant Program/Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. The grant is administered through the Sutter County Resource Conservation District (RCD).

The Project area encompasses approximately 65 acres and would create approximately 2.6 miles of public trails. The Project would include pedestrian and cycling trails, public parking, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. In addition, the Project would include public educational displays and interpretive signage to describe the setting of the viewable habitat, i.e., habitat function, wildlife species, fisheries, the restoration process, regional and state history, the river's significance to the California State Water Project, and its functionality.

The proposed Project is a portion of the Feather River Parkway Strategic Plan, which was developed by the City and adopted as part of the City's General Plan (April 2004) to utilize portions of the Feather River floodplain as a public parkway. The Feather River Parkway Strategic Plan envisions a river front park that extends along the river's edge for approximately 6 miles, encompassing approximately 790 acres. The Project area (Feather River Parkway Sub-area B) is near the northern end of this planned parkway system, and would contain amenities that would contribute to the entire parkway project objectives.

The proposed Project is located within the USGS 7.5-minute Yuba City Quadrangle in the New Helvitia Land Grant. The proposed Project would occur within Sutter County.

The 30-day period for public review and comment on the proposed Mitigated Negative Declaration begins March 18, 2010. All comments must be submitted by April 16, 2010. Please address comments on the proposed Mitigated Negative Declaration as follows:

City of Yuba City, Public Works Department
Proposed Mitigated Negative Declaration
Feather River Parkway/Willow Island Project
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: George Musallam

A copy of the proposed Mitigated Negative Declaration and supporting documents can be reviewed at the City's office at the above address. For further information regarding the proposed Mitigated Negative Declaration and the City's schedule to consider adoption of the document, please contact George Musallam at (530) 822-4634.

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1.0 Project Description

1.1 Introduction

The City of Yuba City (City) is proposing the Feather River Parkway/Willow Island Project (Project). The Project would implement recreational improvements and convert the Willow Island area into a river front park. The City received funding for the Project from the State of California Resources Agency, through the Proposition 50 California River Parkways Grant Program/Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. The grant is administered through the Sutter County Resource Conservation District (RCD).

The Project area encompasses approximately 65 acres and would create approximately 2.6 miles of public trails. The Project improvements would include pedestrian and cycling trails, public parking, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. In addition, the Project would include public educational displays and interpretive signage to describe the setting of the viewable habitat, i.e., habitat function, wildlife species, fisheries, the restoration process, regional and state history, the river's significance to the California State Water Project, and its functionality.

The proposed Project is a portion of the Feather River Parkway Strategic Plan (CYC 2002), which was developed by the City and adopted as part of the City's General Plan (CYC 2004) to utilize portions of the Feather River floodplain as a public parkway. The Feather River Parkway Strategic Plan envisions a river front park that extends along the river's edge for approximately 6 miles, encompassing approximately 790 acres. The Project area (Feather River Parkway Sub-area B) is near the northern end of this planned parkway system, and would contain amenities that would contribute to the entire parkway project objectives.

The pedestrian and cycling trails, board walk, and pavilion would provide recreational opportunities in a park setting while incorporating educational exhibits and interpretive displays to educate park users on the ecological significance of the environment that surrounds them. The proposed pedestrian and cycling trails would connect with the existing levee top bike trail, which would provide a direct link to downtown Yuba City and the remaining Feather River Parkway.

A part of the pedestrian and cycling trails would be built on the existing six- to eight-foot retention embankments bordering the abandoned sewage lagoons located at the Project site. The currently abandoned sewage lagoons were operational through the late 1970s until new treatment facilities were built in southern Yuba City.

The Project site is currently heavily vegetated with both native and non-native species. A large portion of the abandoned sewage lagoons have high embankments that severely restrict the area for recreational uses, and create unsuitable habitat for typical floodplain corridor benefits.

CEQA Review

To comply with the City's requirements under the California Environmental Quality Act (CEQA), this Initial Study (IS) and proposed Mitigated Negative Declaration (MND) (per CEQA Guidelines §15070-15075) identifies and addresses potential environmental effects and mitigation measures to be implemented during construction, operation, and maintenance of the proposed Project. This IS/MND includes the City's understanding of applicable environmental regulatory review processes and required mitigation measures for implementing the proposed Project.

1.2 Project Location

The proposed Project is located within the USGS 7.5-minute Yuba City Quadrangle in the New Helvitia Land Grant (see Figure 1 for the Project Regional and Vicinity Map). The proposed Project would occur within Sutter County.

1.3 Project Objectives

Objectives of the proposed Project include:

1. Create a safe and secure recreational area for the public.
2. Create an extensive river trail system for pedestrians and cyclists.
3. Preserve natural areas and wildlife habitat.
4. Create a civic destination area by establishing a direct connection between the river system and the City's downtown core area.
5. Educate the Willow Island Parkway users about the river and surrounding ecosystem.
6. Successfully meet funding requirements of the State of California Resources Agency's Proposition 50 California River Parkways Grant Program.

1.4 Proposed Project Components

The Project area encompasses approximately 65 acres and 2.6 miles of public trails. The Project would establish a parkway that would provide safe, public riverfront access that incorporates hiking, biking, field sports, picnic areas, nature walks, and wildlife viewing. This section describes the various recreational, educational, and restoration components that are being proposed as part of the Project. Please refer to Figure 2, Project Site Map, at the end of the Project Description, for the location of the proposed project components.

1.4.1 Recreational Visitor Amenities

To support the various recreational opportunities proposed in the Project area, visitor amenities would include the following components:

- 10 interpretive signs
- 3 Willow Island Parkway Project information signs
- 1 Pavilion structure
- Disk golf course
- Beach landing area (40 feet by 15 feet)
- Enclosed off-leash dog area

Ancillary Facilities

- 10 benches
- 10 picnic tables
- 10 garbage cans
- 3 bike racks

Interpretive, Project, and Safety Information Signage

The City would install interpretive and Project information signage to provide educational information on the local area. The proposed signage would be at key vantage points to increase the public's understanding of the natural surroundings of riverine and riparian habitats, fishery, wildlife, the California State Water Project, cultural history, and the Project's restoration process and recreational opportunities.

A portion of the interpretive displays would be located in key areas adjacent to elderberry shrubs along the proposed trail system, which would describe the life cycle of the Elderberry Beetle and how its populations have strengthened due to conservation efforts throughout the state.

Signage indicating locations of the trails, parking lots, and other recreational amenities would be provided for visitors. Additionally, safety signage would be strategically placed throughout the Project site to alert all forms of traffic (cars, bikes, and pedestrians) of the proper safety precautions.

Pavilion Structure

The Project would include a pavilion structure for picnicking opportunities, which would be accessible from Parking Lot South. A pedestrian trail would link the pavilion with the parking facility and would also be surfaced with concrete for Americans with Disabilities Act (ADA) accessibility. The pavilion structure would be constructed of steel (painted green or rust finish).

Disk Golf Course

A disk golf course with baskets would be strategically located throughout the Project site for recreational use. The baskets would be located in areas to minimize potential conflict with other recreational opportunities, i.e., picnicking areas. In addition, the baskets would be removed during the rainy season to ensure the baskets were not lost during flooding events.

Beach Landing Area

The beach landing area would be accessible via the boardwalk. The structure would be constructed of stamped concrete and provide recreationists a stable surface area for public viewing of the river, and provide direct access to the beach. Interpretive signage would be located at this public viewing location.

Enclosed Off-leash Dog Area

The enclosed dog area would be utilized by owners of well-mannered dogs where the animals can have free, unleashed play while being supervised by their owners. Dog owners would be expected to follow posted regulations at the site, and maintain control of their pets at all times.

Ancillary Facilities

The City would install ancillary facilities to support the visiting recreationists. The picnic tables and benches would be constructed from concrete and secured to the ground to withstand major flooding events. The garbage cans would be located throughout the Project site near picnicking locations and the beach landing area. In addition, the City would install bike racks at each of the proposed parking lots.

1.4.2 Vehicle Parking Facilities

To provide recreationists with safe parking, the Project would include the construction of vehicle parking facilities for public access to the parkway. The vehicle parking facilities would include the following components:

- Two parking lots constructed of aggregate base material [Parking Lot North 0.76 acres (33,105 square feet) and Parking Lot South 0.71 acres (30,927 square feet)]

Parking Lot Facilities

The first parking lot, Parking Lot North, would provide 60 parking spaces. The second parking lot, Parking Lot South, would also provide 60 parking spaces, and would include two spaces for ADA parking. The parking lots would be surfaced with crushed rock, except for the ADA parking stalls at Parking Lot South, which would be surfaced with concrete and directly connect to the adjacent trail.

1.4.3 Vehicular Circulation Improvements

To provide vehicle access to the Project site, the City would make minor modifications to the existing roadway system to allow for a circular flow of traffic and limit vehicle access to the Project site when necessary. The roadway improvements include the following components:

- Improved roadway for recreationist access (approximately 2,200 linear feet)
- 5 locations with removable bollards to limit access where necessary

Roadway Improvements

The City would improve the existing City's Utility Department maintenance road/Levee Patrol Road to allow for the flow of vehicle traffic. The existing maintenance road connects to the paved roadway located on the levee, and the improvements would connect the two roadways to create a circular road system that meets required California Vehicle Code Standards. The roadway would be surfaced with an aggregate base material. The proposed roadway system would be designed for one-way traffic to and from the recreational site, and between Parking Lot South and Parking Lot North the roadway would widen to allow for two-way traffic between the parking lots. A retaining wall with a traffic railing would be constructed on the east side of the improved roadway above the existing outlet headwall.

Removable Bollards

A total of five (5) locations would contain removable bollards that would be installed at designated areas along the improved roadway to prevent vehicle access to the Project site during park closure, and limit vehicle access to only City maintenance staff and security where necessary.

1.4.4 Pedestrian Trail Amenities

The Project would include the construction of approximately 2.6 miles of public trails, and would connect with the existing levee top bike trail and provide pedestrians with a direct link to downtown Yuba City. Paving of the trail system for ADA access would be limited to the area adjacent to the Parking Lot South, the trail connecting to the pavilion area, and the boardwalk connecting to the beach landing area. The proposed public trail system includes the following:

- Walking trail (3,370 linear feet)
- Cycling trail (5,300 linear feet)
- Combined cycling and walking use trail (5,448 linear feet)
- Pedestrian footbridges (approximately 3 at the low points along the boardwalk)
- Boardwalk (630 linear feet)

Cycling and Walking Trails

On the north side of the Project, the public trails would be constructed on the abandoned sewage lagoon berms and on the surface of the lagoon areas. The remaining trail system would be located adjacent to the river and connect with the proposed parking facilities. The bike trails would be 8 feet wide with 2-foot shoulders on both sides, and would be primarily surfaced with aggregate base material. The walking trails would be approximately 5 feet wide, and the trail surface would consist of compacted native soil. The walking trail widths would vary depending upon the natural terrain and adjacent vegetation.

Pedestrian Footbridge Crossings

The Project would include approximately 3 new footbridges along the trail system to allow for pedestrian crossings over low areas of the topography. The foot bridges would be constructed of stamped concrete with redwood railings.

Boardwalk Trail

The boardwalk trail would be stamped concrete, and would connect the Parking Lot South with the beach landing area. The boardwalk trail would be ADA accessible.

1.4.5 Restoration Activities

The Project would include restoration of natural habitat of the Feather River floodplain in areas where the proposed construction activities would occur. The following restoration components are included with this Project:

- 80 planted shade trees
- Restore/preserve woodlands to include eradication of blackberries along paths and

trails with revegetation in those areas with native trees, shrubs, and grasses (approximately 10 acres)
- Removal of asphalt and other debris by the City within the areas of construction

Replanting Plan and Restoration Activities

The proposed Project would require the implementation of a planting plan that would include the installation of 80 native shade trees and the planting of native grasses. The City would replant in areas treated for Himalayan blackberry with a fast-growing native species that can provide the necessary shade to reduce re-establishment of the blackberry species. City maintenance staff would monitor the new plantings to ensure the establishment of the replanted vegetation.

Vegetation Clearing

Prior to construction of the public trail system, removal of vegetation would occur. Clearing of vegetation would only occur along trails and paths, parking lot areas, and the pavilion and beach landing area. Vegetation clearing for the bike trails and the areas where the walking and bike trails are combined would be approximately sixteen (16) feet wide along the trail system. Vegetation clearing along the walking trails would be approximately ten (10) feet wide along the trail system. In areas where vegetation clearing would occur, trees with greater than six (6) inches in diameter would remain. Where possible, construction of the trail system would minimize removal of special status vegetation species, e.g., elderberry shrubs.

Significant stands of Himalayan blackberry and wild grape would be removed within the trail footprint areas. For removal of Himalayan blackberry, herbicide may need to be applied. However, because the Himalayan blackberry is often found near a water source, the herbicide applications would need to be applied in accordance with regulatory guidelines. Consultation with a Pest Control Advisor (PCA) regarding appropriate herbicide use and application would be completed prior to use at the Project site.

Removal of Asphalt and Other Debris

There are asphalt, concrete, and other debris scattered throughout the Project area. In areas where construction activities would occur, the City would remove the debris from the Project site. The asphalt and concrete material are considered Class III non-hazardous wastes, and would be disposed of at an appropriate landfill.

In addition, there are a number of homeless camps within the Project area. The City would provide clean-up crews certified in hazardous materials recovery for removal of the left over debris from these camp sites. Personal property removed from the homeless camps would be logged and temporarily stored by the City before unclaimed items are loaded and hauled to an approved landfill facility for disposal. The City would also implement an outreach program to provide resources for the homeless population.

1.4.6 Protection of Project Improvements from Flooding Events

Periodic flooding would inundate the Project site with deep, low velocity flows in the interior, and higher erosive flows along the Feather River's edge. The City would construct the Project to aid the flow and drainage of high water while utilizing building materials and structural designs that can withstand periodic stresses associated with flooding.

The boardwalk would be constructed of stamped concrete for increased protection from flooding events. The majority of the trails would be constructed of aggregate base material that can easily be resurfaced after a major flooding event.

1.4.7 PG&E Gas Pipeline

Pacific Gas & Electric Company (PG&E) owns and operates a high pressure gas main that runs west to east through the northern portion of the property. This facility would remain in place, and all construction and restoration activities would be conducted to ensure the pipeline is undisturbed.

1.5 Proposed Project Construction Methods and Schedule

Construction staging for the Project would be located at the proposed parking lot facility locations. Soil hauled onsite would be stockpiled in accordance with the City's Storm Water Pollution Prevention Plan (SWPPP) in compliance with the National Pollutant Discharge Elimination System (NPDES) permit. Construction equipment and approximate hours of operation for each piece of equipment utilized during the different phases of Project activities are provided below.

<u>Phase 1. Clearing, Grubbing, and Grading Equipment Needs</u>

- Dump Trucks (2) (320 total hours combined)
- Loaders (2) (200 total hours combined)
- Dozer/Grader (1) (80 total hours)
- Soil Compactor (1) (8 total hours)
- Portable Generator (1) (8 total hours)
- Water Truck (1) (320 total hours)
- De-brusher/mower (1) (80 total hours)

<u>Phase 2. Aggregate Base Applications for Roadway, Parking Lots, and Trails Equipment Needs</u>

- Dump Trucks (2) (160 total hours combined)
- Loaders (2) (160 total hours combined)
- Dozer/Grader (1) (24 total hours)
- Soil Compactor (1) (120 total hours)
- Roller (1) (120 total hours)
- Portable Generator (1) (8 total hours)
- Water Truck (1) (160 total hours)

Phase 3. Concrete Paving and Walkways Equipment Needs

- Concrete batch truck (1) (30 total hours)

The City anticipates that work on the Project would be performed between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday except for holidays. Approximately ten (10) construction personnel would be required during the proposed Project activities. The majority of the construction personnel for trail work would be from the California Conservation Corps (CCC), which would include a large work force, and would arrive to the Project site together in a CCC vehicle. Parking for construction personnel would be available on the west side of the levee by the existing pipegate at the bottom of the paved ramp.

Construction Safety

Safety fencing would be installed around certain areas of the Project to prevent non-construction personnel from entering the site. In addition, the City would have a full-time inspector at the Project site during the duration of the Project construction activities to monitor implementation and compliance with agency regulations and requirements by the construction personnel. This City representative would have the authority to stop work in the event of noncompliance.

1.6 Proposed Project Operations and Maintenance

The Project area is within the jurisdiction of the City, and would therefore be operated and maintained by the City's Public Works and Parks and Recreation Departments. The Project improvements would provide recreational and educational opportunities at no charge to the public. In addition, during the dry season the City would periodically provide security personnel for monitoring of the parkway for public safety.

The City is currently working with the CCC to develop a maintenance agreement to maintain the pedestrian and cycling trails, and vegetative habitat within the public access areas on a regular schedule. During periods when the CCC is unavailable for conducting the required maintenance activities, the City would be responsible for ensuring the recreational facilities are maintained appropriately.

For management of operations at the Project site, the City's Public Works Department would impose the following user restrictions:

- Closed ½ hour after sunset or conclusion of City activity, and open at sunrise;
- No trespassing after park is closed;
- Hiking and cycling restricted to designated areas;
- Motorized vehicles not allowed off road (excluding service and maintenance vehicles);
- Dogs must be leashed at all times; unless in the enclosed unleashed dog area, and owners must clean-up after their pets;

- Motorized boats would not be allowed to launch from the beach within the Project area;
- Fishing would be prohibited from the designated swimming area;
- High water access restrictions;
- Alcoholic beverages allowed by permit only obtained from Yuba City Parks and Recreation Department;
- No open fires or barbecues except in stoves or pits provided by the City; and,
- No camping or sleeping overnight.

The Sutter County RCD would assist the City in recruiting volunteer groups that would help support the City in its efforts to keep the Project site safe and clean. Organized cleanup and trail maintenance days and park watch programs would create vested, public interest in the community, while enhancing the recreational and educational function of the Project site.

1.7 Environmental Review and Potential Permitting Requirements

CEQA review and applicable permits would be required before City commencement of the proposed Project activities. Standards to be used during the proposed Project construction activities include: the ADA Standards, City and County Parks and Recreations Department Standards, California Vehicle Code, American Association of State Highway and Transportation Officials (AASHTO) Federal Highway Standards, Uniform Federal Accessibility Standards, and LEED Standards-Leadership in Environmental and Energy Design. Table 1, on the following page, lists the anticipated agency reviews and permits that would be necessary for the City to implement the Project.

Table 1. Agency Review and Potential Permit Requirements for the Feather River Parkway/ Willow Island Project

Agency	Applicable Laws/Regulations
City of Yuba City (CEQA Lead Agency) Sutter County Resource Conservation District (CEQA Responsible Agency)	Section 21000 et seq. of Public Resources Code, Section 15000 et seq. of California Code of Regulations, CEQA
U.S. Army Corps of Engineers (USACE)	Section 404 of Clean Water Act Nationwide Permit Program
State Office of Historic Preservation	Section 106 of National Historic Preservation Act
U.S. Fish and Wildlife Service (USFWS)	Endangered Species Act, Section 7 Consultation, Fish and Wildlife Coordination Act
California Department of Fish and Game (CDFG), North Central Region	Fish and Game Code, Section 1600 et seq., Streambed Alteration Agreement
California Water Quality Control Board (CWQCB), Central Valley Region	Clean Water Act, Section 401, Water Quality Certification and (NPDES) Permit
Central Valley Flood Protection Board Levee District 1	Encroachment Permit
California Air Resources Board (CARB)	Statewide Portable Equipment Registration Program
City of Yuba City, Public Works Department	Grading Permit Encroachment Permit
Feather River Air Quality Management District (FRAQMD)	Fugitive Dust Plan

1.8 Proposed Project Schedule

The proposed Project construction activities would commence in August of 2010. Construction of the proposed Project would be completed by May 2011 within nine months, with the grading, graveling, and concrete application activities completed prior to the 2010 rainy season. Permitting of the proposed Project would occur after the City's completion of CEQA review. Commencement of Project construction activities must occur by August 2, 2010 or the Proposition 50 California River Parkways Grant funding would be cancelled.

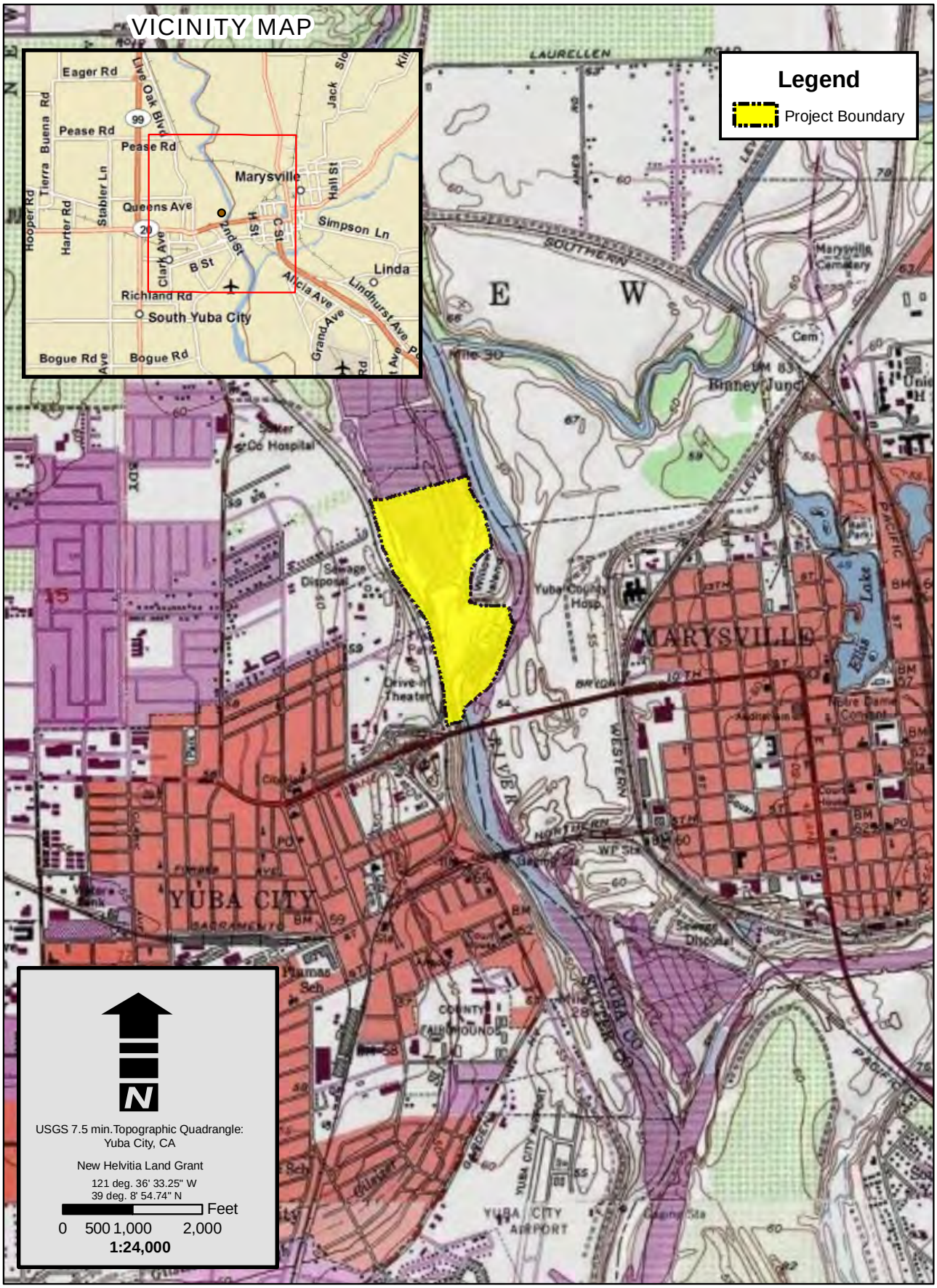


Figure 1. Project Location and Vicinity

Created By: Ethan Koenigs
Date: 2/24/10

Willow Island Parkway

EN2 RESOURCES, INC. Water and Energy Consulting Services


BIKE TRAIL (TYP)
RESTORE WOODLAND
NOTE: TWO (2) FOOT BRIDGES SHALL BE CONSTRSUCTED AT LOW POINTS ALONG BOARDWALK
BEACH LANDING
FEATHER RIVER
HIGHWAY 20
BIKE AND PEDESTRIAN TRAIL (TYP)
BOARDWALK
PARKING LOT 2
PAVILION
ROADWAY IMPROVEMENTS TO EXISTING LEVEE PATROL ROAD
FOOT BRIDGE AT SWALE CROSSING
PARKING LOT 1
ROAD CROSSING OVER EX OUTLET
CULVERT (TYP)
EX PAVED RAMP PARK ENTRANCE AND EXIT
EX PAVED LEVEE ROAD
POSTS (TYP)
REMOVABLE BOLLARDS (TYP)
EX DIRT RAMP
BIKE AND PEDESTRIAN TRAIL (TYP)
BIKE TRAIL (TYP)
PEDESTRIAN TRAIL (TYP)
FEATHER RIVER PARKWAY - WILLOW ISLAND PROJECT
OVERALL SITE MAP
SYMBOL LEGEND
SYMBOL
DESCRIPTION
SYMBOL
DESCRIPTION
PROPOSED ROAD
PAVILION
EXISTING ROAD
PICNIC TABLE & GARBAGE CAN
BIKE TRAIL
PROJECT SIGN
WALKING TRAIL
BENCHES
BOARDWALK
REMOVABLE BOLLARDS
TREES & PLANTS
CULVERTS
INTERPRETIVE SIGNS

2.0 Environmental Checklist

2.1 Overview

Project title:	Feather River Parkway/Willow Island Project
Lead Agency name and address:	City of Yuba City, Public Works Department 1201 Civic Center Boulevard Yuba City, CA 95993
Contact person and phone number:	George Musallam Public Works Director (530) 822-4634
Project location:	Yuba City (North of the 10th Street Bridge on the western bank of the Feather River)
Project sponsor's name and address:	City of Yuba City, Public Works Department 1201 Civic Center Boulevard Yuba City, CA 95993
Land designation:	The City of Yuba City's General Plan (April 2004) identifies the Project area as zoned Parks, Recreation and Open Space and Flood District

2.2 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this proposed Project, involving at least one impact that is "Less-than-Significant" or "Less-than-Significant with Mitigation" as indicated by the accompanying environmental checklist.

☒ Aesthetics	☐ Agriculture Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology/Soils
☒ Greenhouse Gas Emissions	☒ Hazards & Hazardous Materials	☒ Hydrology/Water Quality
☒ Land Use/Planning	☐ Mineral Resources	☒ Noise
☒ Population/Housing	☒ Public Services	☒ Recreation
☒ Transportation/ Traffic	☒ Utilities/Service Systems	☒ Mandatory Findings of Significance

2.3 Evaluation of Environmental Impacts

The degree of change from existing conditions caused by the Project is compared to the impact evaluation criteria to determine if the change is significant. Where it is determined that one or more significant impacts could result from implementation of the Project, mitigation measures are developed to reduce or eliminate the significant impacts. Existing conditions serve as a baseline for evaluating the impacts of the Project.

The following terminology is used in this document to describe the various levels of environmental impacts associated with the Project:

- A finding of *no impact* is identified if the analysis concludes that the proposed Project would not affect a particular environmental topical area in any way.
- An impact is considered *less than significant* if the analysis concludes that the proposed Project would not cause a substantial adverse change in the environment, or would result in a positive change to the environment.
- An impact is considered *less than significant with mitigation* if the analysis concludes that the proposed Project has the potential to cause a substantial adverse change in the environment, but the proposed Project includes measures to mitigate the potential impact to a less than significant level.
- An impact would be considered a *potentially significant impact* if the analysis concludes that the proposed Project could cause a significant environmental effect. Proposed Projects that potentially produce a significant impact(s) warrant the greater level of analysis and consideration provided by an Environmental Impact Report (EIR).

2.4 Checklist

2.4.1 Aesthetics

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
AESTHETICS: Would the Proposed Project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Explanations

a) Less Than Significant Impact. The Project area can be seen from the 10th Street bridge, from the levee, and from across the river. Construction activities would have short term impacts on the scenic view. The majority of the existing trees would remain, and the affected areas would be re-vegetated with native grasses and shade trees. As a result, the proposed project would not have long term adverse effect on scenic vista resources.

b) Less Than Significant Impact. The proposed Project would not be located along a state scenic highway. In addition, no rock outcroppings or historic buildings would be affected as a result of Project implementation. The proposed Project would require the implementation of a planting plan that would include the installation of eighty (80) native shade trees and the planting of native grasses. The City would replant in areas treated for Himalayan blackberry with a fast-growing native species that can provide the necessary shade to reduce re-establishment of the blackberry species. Less-than-significant impacts to scenic resources would occur as a result of Project implementation, since native plant revegetation activities would occur near areas where vegetation was removed and the Project does not take place within a state scenic highway.

c) Less Than Significant Impact. The Project area encompasses approximately 65 acres and would create 2.6 miles of public trails. The Project improvements would include pedestrian and cycling trails, public parking, a roadway, a pavilion, picnic areas,

field sport areas, boardwalk, beach landing, and educational signage. As well, the City would replant in areas treated for Himalayan blackberry with a fast-growing native species that can provide the necessary shade to reduce re-establishment of the blackberry species.

The public trails, parking facility, and improved roadway would be surfaced with crushed rock, except in designated ADA areas, which would be surfaced with concrete. The pavilion structure would be constructed of steel (painted green or rust finish), and the footbridge crossings and beach landing would be constructed of stamped concrete with redwood railings to blend with the natural surroundings. The vehicular crossing and boardwalk would be surfaced with concrete and stamped concrete for decorative purposes. The proposed recreational facilities would be designed to be consistent with scenic quality objectives, and therefore impacts would be less-than-significant.

In areas where construction activities would occur, the City would remove the existing asphalt and concrete debris from the Project site. Also, there are a number of homeless camps within the Project area. The City would provide clean-up crews certified in hazardous materials recovery for removal of the left over debris from these camp sites.

d) No Impact. The proposed Project involves new construction of a riverfront park for day use only. As a result of its nighttime closure, no street lamps or other sources of light would be established.

Mitigation Measures

- No mitigation is required or warranted.

2.4.2 Agriculture and Forest Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the proposed Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526)?	☐	☐	☐	☒

d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) No Impact. The proposed Project area is located on lands designated as "Grazing Land" by the California Department of Conservation's Farmland Mapping and Monitoring Program (SCIF 2006), there are no agricultural operations occurring at the Project site, and the Project does not include construction that might convert land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses.

b) No Impact. There is no land subject to a Williamson Act contract within the Project area. The proposed Project area is zoned for flood (Yuba City Zoning Map) (CYC 2004) located on lands designated as "Grazing Land" by the Farmland Mapping and Monitoring Program, there are no agricultural operations occurring at the Project site, and the Project would not conflict with existing agricultural zoning or area subject to Williamson Act.

c) No Impact. There are no forest or woodland resources on-site that would be impacted by the proposed Project.

d) No Impact. There are no forest or woodland resources on-site that would be impacted by the proposed Project.

e) No Impact. The proposed Project would not involve other changes in the existing environment that could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. There are no agricultural operations occurring at the Project site.

Mitigation Measures

- No mitigation is required or warranted.

2.4.3 Air Quality

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or Projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Air quality in the Project area is regulated by the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (CARB), and the Feather River Air Quality Management District (FRAQMD). Yuba City is located in the Northern Sacramento Valley Air Basin (NSVAB). Air quality monitoring in the NSVAB, in which Yuba City is located, has been conducted for the last 15 years. The monitoring results have shown that the principal pollutants are ozone and particulate matter (CYC 2004).

Under state regulation, the northern portion of Sutter County, where Yuba City is located, is designated moderate non-attainment for the 1-hour ozone standard, and non-attainment for the 8-hour ozone standard and for particulate matter less than 10 micrometers in diameter (PM10) (FRAQMD 2010). Under federal regulation the FRAQMD is designated as non-attainment for particulate matter less than 2.5 micrometers in diameter (PM 2.5) (FRAQMD 2010). The FRAQMD is either designated as attainment or unclassified for the remaining federal and state standards for nitrogen dioxide (NO2), sulfur dioxide (SO2), carbon monoxide (CO), sulfates, hydrogen sulfide (H2S), lead, and visibility reducing particles (FRAQMD 2010).

Explanations

a) No Impact. The Project activities would not conflict with or obstruct implementation of the AQMD Air Quality Plan.

b) Less-than-Significant with Mitigation. Short-term, air quality impacts could result from the construction equipment at the Project site. A portable generator would be utilized during proposed construction activities, and would be required to be registered by the City through CARB prior to use. As outlined in the Yuba City General Plan (CYC 2004) implementing policies (8.6-I-7) for air quality and the FRAQMD *Standard Construction Phase Mitigation Measures for all Projects* (FRAQMD 2010), the City would require the contractor to implement mitigation measure MM-AQ-1 during proposed construction activities to help ensure less-than-significant impacts from construction vehicle emissions.

Short-term air quality impacts could result from fugitive dust emissions generated during earthmoving activities. As outlined in the Yuba City General Plan (CYC 2004) implementing policies for air quality (8.6-I-6) and the FRAQMD *Standard Construction Phase Mitigation Measures for all Projects* (FRAQMD 2010), the City would require the contractor to implement mitigation measure MM-AQ-2 during proposed construction activities to help ensure less-than-significant impacts for fugitive dust emissions.

As described in Section 5.0, approximately nine (9) pieces of equipment would be utilized during each of the Project construction activity phases. However, during peak construction periods all 9 pieces of equipment would not be operating simultaneously. Worker vehicles would also be limited to no more than twenty (20) vehicles, causing a less-than-significant impact to air quality standards in the region.

Operations of the Project site would include recreationists' vehicles that would be arriving to and from the Project site creating minimal impacts to criteria pollutants. In addition, motorized boats would not be allowed to launch from the beach area, and motorized vehicles, i.e. all terrain vehicles, would not be permitted at the Project site.

c) Less-than-Significant. The proposed Project would not contribute a cumulatively considerable net increase of any criteria pollutant to the air basin that would affect the ambient air quality status for the federal and state ozone standards.

d) No Impact. There are no known sensitive receptors near the Project area.

e) Less-than-Significant. The proposed Project off-road and on-road diesel powered vehicles and equipment could create odors for nearby businesses. These odors would be temporary, and would only occur during particular phases of work.

Mitigation Measures

- MM-AQ-1: To reduce construction equipment emissions, the City will comply with the following BMP measures during Project implementation:
    - Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions Limitations (40% opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a Notice of Violation from the FRAQMD.
    - The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained prior to and for the duration of the on-site operation.
    - Idling time shall be minimized to 10 minutes to save fuel and reduce emissions.

  Implementation of the above BMP measures would ensure less-than-significant impacts to air quality standards for construction equipment emissions during implementation of the Project.

- MM-AQ-2: To reduce fugitive dust emissions and minimize PM10 impacts on air quality, the City shall comply with the FRAQMD Fugitive Dust Rule 3.1. The City would require the contractor to submit for approval a Fugitive Dust Plan (Plan) to the FRAQMD, and implement the required BMP measures outlined in the Plan. The required BMP measures to be applied during the grading and earthmoving phases of work would include the following:
    - During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by regular watering, paving of construction roads, or other dust-preventive measures.
    - All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day.
    - All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 20 miles per hour (mph) averaged over 1 hour.
    - All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
    - The area disturbed by clearing, grading, earth-moving, or excavation operations shall be minimized at all times.
    - Portions of the construction site to remain inactive longer than a period of 3 months shall be seeded and watered until grass cover is grown.

  Implementation of the above BMP measures would ensure less-than-significant impacts to air quality standards for fugitive dust during implementation of the Project.

2.4.4 Biological Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES: Would the proposed Project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The Project is located in Yuba City along the west bank of the Feather River, just north of the Highway 20 Bridge. The Project is within the floodplain of the Feather River and is subject to frequent flooding. This frequent natural disturbance has created a mixture of riparian habitats in the Project area. A large portion of the site was formerly used as sewage treatment plant and remnants of the abandoned "lagoons" still exist and are visible in aerial photographs and on the ground (Figure 3. Biological Resources).

There are patches of Great Valley Cottonwood Riparian Forest (as described by Holland) identified in the California Natural Diversity Database (CNDDB) north of the Project area along the river (Holland 1986). There is a small, isolated patch of mature Cottonwood Forest at the south end of the Project. This area is characterized by a mature overstory of cottonwood (Populous fremontii) and very dense undergrowth consisting of wild grape (Vitis californica), willows (Salix exigua, S. goodingii), and other species. Large mature sycamore (Platanus racemosa) trees are found on the higher ground around this area.

The majority of the Project area would likely be classified as Great Valley Willow Scrub, with some areas having dense willow thickets and others being relatively open with a mix of forbes, grasses, and shrubs, including mule fat (Baccharis salcifolia) (Holland 1986). There are patches of Mixed Riparian Vegetation as well in and around the old lagoons. These areas are composed primarily of cottonwood, willow, and valley oak (Quercus lobata). Small valley oak saplings are found throughout the open areas of willow scrubland. There are scattered mature valley oaks along the margins of the Project area, nearer the levee. A recent fire burned much of the vegetation along the northwest side of the Project. Dense Himalayan blackberry (Rubus aremiacus) and other weedy species have invaded this area.

Throughout the Project area there are pockets of mature trees beginning to reclaim the site of the abandoned sewage lagoon. There is a considerable amount of old concrete, asphalt, and other debris in and around the old lagoons. There are numerous mature, multi-stemmed elderberry shrubs (Sambucus mexicana) throughout the Project site, primarily on the higher ground and near the river's edge.

a) Less-than-Significant with Mitigation. Table 2 below presents results of queries of the CNDDB (all occurrences within 5 miles of the proposed Project) and the United States Fish and Wildlife Service (USFWS) database for the area covered by the Yuba City, Sutter, Olivehurst, and Gilsizer Slough USGS topographic quadrangles. Figure 4 shows CNDDB occurrences within 5 miles of the Project.

Table 2. Special-status Species Identified from Queries of the CNDDB and USFWS Databases

Scientific Name	Common Name	Status			Potential Habitat
		Federal[1]	State[2]	CDFG[3]	
Animals					
Accipeter cooperii	Cooper's Hawk	-	-	FP	Yes
Acipenser medirostris	Green sturgeon	T	-	SC	Yes
Actinemys marmorata marmorata	Western pond turtle	-	-	SC	Yes
Agelaius tricolor	Tricolored blackbird	-	-	SC	Yes
Ambystoma californiense	California tiger salamander	T	CE	SC	No
Ardea alba	Great Egret (rookery)	-	-	SC	Yes
Ardea Herodias	Great blue heron (rookery)	-	-	SC	Yes
Branchinecta conservation	Conservancy fairy shrimp	E	-	-	No
Branchinecta lynchi	Vernal pool fairy shrimp	T	-	-	No
Buteo swainsoni	Swainson's hawk (nesting)	-	T	-	Yes
Coccyzus americanus occidentalis	Western yellow-billed cuckoo	C	E		Yes
Desmocerus californicus dimorphus	Valley elderberry longhorn beetle	T	-	-	Yes
Elanus leucurus	White-tailed Kite	-	-	FP	Yes
Lepidurus packardi	Vernal pool tadpole shrimp	E	-	-	No
Linderiella occidentalis	California linderiella	-	-	-	No
Hypomesus transpacificus	Delta smelt	T	T	-	No
Oncorhynchus mykiss	Central Valley steelhead	T	-	-	Yes

Scientific Name	Common Name	Status			Potential Habitat
		Federal[1]	State[2]	CDFG[3]	
Oncorhynchus tshawytscha	Central Valley spring-run Chinook salmon	T	T	-	Yes
Oncorhynchus tshawytscha	Central Valley winter-run Chinook salmon	E	E	-	Yes
Rana aurora draytonii	California red-legged frog	T	-	SC	No
Riparia riparia	Bank swallow	-	T		Yes
Thamnophis gigas	Giant garter snake	T	T	-	Yes
Plants				CNPS[4]	
Great Valley Cottonwood Riparian Forest	Great Valley Cottonwood Riparian Forest	-	-		Yes
Great Valley Mixed Riparian Forest	Great Valley Mixed Riparian Forest	-	-		Yes
Monardella douglasii ssp. venosa	veiny monardella	-	-	1B.1	No
Pseudobahia bahiifolia	Hartweg's golden sunburst	E	E	1B.1	No

[1] E = federally endangered; T = federally threatened; C = candidate species; X = critical habitat

[2] E = state endangered; T = state threatened; CE = candidate endangered; R = Rare

[3] SC = species of special concern; FP = fully protected

[4] 1B. = California Native Plant Society (CNPS):

1B = Plants rare, threatened, or endangered in California and elsewhere

2 = CNPS List 2 – Plants rare, threatened, or endangered in California, but more common elsewhere

3 = CNPS List 3 - Plants about which we need more information – a review list

4 = CNPS List 4 - Plants with limited distribution – a watch list

CNPS Threat Rank:

0.1 = seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)

0.2 = fairly endangered in California (20-80% occurrences threatened)

0.3 = not very endangered in California

Based on a field reconnaissance survey of the habitat on-site and data from the above searches it was determined that several special-status species may have habitat near the proposed Project. The species habitat descriptions, descriptions of on-site conditions, and explanations of potential effects on each species are presented below:

Central Valley steelhead (*Oncorhynchus mykiss*): The Central Valley population of steelhead is a federal-listed Threatened species**.** The steelhead is an anadromous fish, which spawns in freshwater rivers from December to March. Preferred spawning habitat consists of gravel beds in cool (10-15 deg. C), fast flowing, well oxygenated perennial streams (Moyle et.al. 1995). The Feather River is listed as Critical Habitat for the Central Valley population of steelhead. The river is not considered suitable for spawning (tributaries are); migration habitat for adults and juveniles is consistent and fair; and natal habitat is periodic and fair (NOAA 2005a).

Central Valley Spring-run and Winter-run Chinook (***Oncorhynchus tshawwytsha):*** The spring run of Chinook salmon is listed as Threatened under federal and state regulations; the winter run of Chinook in the Sacramento River is listed as Endangered under federal and state regulations (NOAA 2005b, NOAA 1999). The Chinook salmon is an anadromous fish, which spends 2-5 years in the ocean before moving into freshwater rivers to spawn. They do not feed while in freshwater but rely on stored body fat. The spring-run spawns in freshwater rivers from September to October in gravel beds of fast flowing cool water (not more than 14 deg. C) (Moyle et.al. 1995).

The winter-run spawns in similar conditions from late April to early August. Ideal water temperatures for upstream migration of the winter run are 14°-19° C (Moyle et.al. 1995). The Feather River is designated critical habitat for both of these runs. The river is considered consistent, good habitat for migrating adults and juveniles; and consistent, fair rearing habitat for juveniles. This portion of the river does not contain suitable spawning habitat (NOAA 2005b).

Green Sturgeon (*Acipenser medirostris*): The green sturgeon is a federal-listed Threatened species. The green sturgeon is an anadromous fish that enters rivers primarily to spawn, spending most of its life in marine environments. Spawning typically occurs between March and July in deep, fast moving, relatively cold water (8°-14° C). Typical spawning habitat is thought to be large cobble. It is known to occur and spawn in the Sacramento River. Critical habitat has not been designated for this species. Green sturgeons have been seen in the Feather River and are presumed to utilize it for spawning (Moyle et. al. 1995).

Potential impacts to all special-status fish species as a result of this Project would be temporary and minimal. Only a small portion of the river would potentially be affected by construction activities and no construction would take place within the Ordinary High Water Mark. Construction related ground disturbance near the River could lead to increased suspended sediment and turbidity of river water from stormwater runoff. Sediment can affect spawning habitat by clogging gravels and reducing oxygen levels around eggs. In addition, there are a variety of

adverse physiological and behavioral effects to fish resulting from increases in suspended solids (Bash et.al. 2001).

Mitigation is presented below (MM-BIO-1, 2, 7, 8) that would reduce potential impacts to a less-than-significant level for all fish species. In addition, MM-HYD-1, preparation of an application for storm water discharges includes a provision for preparing a SWPPP. The Best Management Practices (BMPs) in the SWPPP would help reduce impacts associated with soil disturbance and potential sedimentation of local waterways. The construction schedule in the Project Description indicates that construction would be completed during the dry season April 15 – October 15 which would offset potential impacts related to stormwater runoff.

Giant garter snake (*Thamnophis gigas*): The giant garter snake (GGS) is a federal-listed Threatened species. It is found primarily within the Sacramento Valley. Habitat requirements consist of (1) adequate water during the snake's active season (early-spring through mid-fall) to provide food and cover; (2) emergent, herbaceous wetland vegetation, such as cattails and bulrushes, (3) grassy banks and openings in waterside vegetation for basking; and (4) higher elevation uplands for cover and refuge from flood waters during the snake's dormant season in the winter (USFWS 2009a, Zeiner et.al 1990).

The GGS inhabits agricultural wetlands and other waterways such as irrigation and drainage canals, sloughs, ponds, small lakes, low gradient streams, and adjacent uplands. Riparian woodlands typically do not provide suitable habitat because of excessive shade, lack of basking sites, and absence of prey populations (USFWS 2009a). There are no recorded CNDDB occurrences within 5 miles of the Project.

The Project site contains a variety of habitats from dense riparian woodland to open willow scrub. Conditions at the site during a reconnaissance survey did not appear suitable for GGS. GGS typically are not found in large rivers like the Feather River (USFWS 2009a). Away from the river, there is very little backwater, or aquatic habitat with emergent aquatic vegetation. The small pond appears to be isolated, and not likely to support a large quantity of suitable prey for GGS. However, following floods, this site could be transformed into habitat temporarily. With numerous flooded lagoons and a maze of upland berms as potential refuge and basking sites, this site would meet the habitat requirements of GGS. Given the overall habitat conditions existing at the site, Project related activities are not likely to impact GGS.

Western pond turtle (*Actinemys marmorata marmorata*): The western pond turtle is a state species of special concern. It is generally found near permanent or semi-permanent water with abundant vegetation in a wide variety of habitats,

below 6,000 feet (Zeiner et.al. 1990). It requires partially submerged logs, rocks, cattail mats or exposed banks for basking. There are no recorded CNDDB occurrences within 5 miles of the Project.

Potential habitat for this species exists along the Feather River and possibly within the pond on site. Temporary adverse impacts to western pond turtle are possible during construction of the trails and the beach landing area. Riverine and adjacent upland habitat may be disturbed during the construction of these facilities. Mitigation is presented below (MM-BIO-3), which would reduce impacts to less-than-significant.

Tricolored blackbird (*Agelaius tricolor):* The tricolored blackbird is a state species of concern. This colonial nesting species requires sites with open accessible water, protected nesting substrate (flooded or thorny vegetation), and suitable foraging habitat that provides adequate insect prey for the colony. Most occurrences of tricolored blackbirds are in freshwater marshes (Hamilton 2004).

The nearest CNDDB occurrence is approximately 3 miles to the northeast of the Project. There are no freshwater marshes on-site but there is suitable habitat. Dense blackberry thickets near the river and the pond could provide safe nesting sites. There are plenty of open areas around and cropland within a few miles of the site to provide adequate insect prey. During site surveys no tricolored blackbirds were observed. Project activities are expected to have a less-than-significant impact on this species.

Great egret and Great blue heron (*Ardea alba and Ardea Herodias*) rookery sites: These species are state species of concern because rookery sites are sensitive to disturbance and a large number of birds can be located at one site. Rookery sites are very similar and are typically located in the tops of large snags or live trees. These sites are often near aquatic foraging areas.

The shallow water along the margins of the Feather River and the freshwater pond on site could provide suitable foraging habitat. The mature woodland areas could provide rookery sites for either of these species. There are no records of these species within 5 miles of the site in the CNDDB. Reconnaissance surveys did not identify any rookery sites in the vicinity of the Project. Project activities are likely to have a less-than-significant impact on these species.

Cooper's hawk (*Accipeter cooperii*): The Cooper's hawk is a state species of concern in California and protected under the Federal Migratory Bird Treaty Act. Cooper's hawks are woodland species that inhabit a variety of habitat types. Nesting habitat is often in riparian and oak woodlands; within the outer branches of mature trees. Prey includes small mammals and birds (Peeters 2005).

No CNDDB occurrences are within 5 miles of the Project but suitable nesting and foraging habitat is located throughout the Project area. Multiple raptors were observed during several site visits, no positive identifications were made but a Cooper's hawk was suspected to be one of the raptors observed. Construction activity at the site could lead to potential adverse impacts to this species. Mitigation is presented below (MM-BIO-4), which would reduce impacts to less-than-significant.

Swainson's hawk (*Buteo swainsoni*): Swainson's hawk is a state-listed Threatened species and protected under the Federal Migratory Bird Treaty Act. Swainson's hawk prefers wide open grassland, cropland, or pasture for foraging habitat. It often nests in solitary trees or within trees in small groves near its foraging habitat. It can also be found nesting in riparian woodlands. This is a migratory species that winters as far south as the southern tip of South America (Peeters 2005).

Multiple active nesting sites are located along the Feather River to the north and south of the proposed Project. The nearest site is just over a mile to the north of the Project. There are numerous potential nesting trees near the proposed Project area within the riparian habitat. No large, mature trees would be removed for any Project-related construction activity. CDFG guidelines state that no disturbances, such as the operation of heavy construction equipment, should be initiated within 0.5 mile of any active nests during the nesting season of March 1 through September 15 (CDFG 1994). There are potential nesting trees within 0.5 mile of the Project; therefore, construction activity and vegetation removal could lead to significant adverse impacts to Swainson's hawk if construction occurs during the nesting season. Mitigation is presented below (MM-BIO-4), which would reduce impacts to less-than-significant.

Swainson's hawk foraging habitat exists in the more open areas of willow scrubland that are dominated by herbaceous vegetation. Construction activity could lead to a temporary disturbance to foraging hawks and the construction of the paved bike trails would result in the permanent loss of a small amount of foraging habitat. Restoration of riparian habitat presented Section 1.4.5 of the Project Description would offset these impacts.

White-tailed kite *(Elanus leucuru):* The white-tailed kite is not officially listed and is not a species of special concern in California; however, like all raptors, it is protected by the Federal Migratory Bird Treaty Act and is a CDFG Fully Protected Species.

The white-tailed kite prefers grassland and savannah habitats in the Central Valley and foothills. It will use marginal habitat near suburban populations. It prefers to

nest near the top of trees with a dense canopy (Peeters 2005). There are numerous suitable nesting locations within the Project boundary. White-tailed kites' nests were not identified in the CNDDB within 5 miles of the Project. Impacts to potential nesting white-tailed kites as a result of vegetation clearing and other construction activity could occur.

To mitigate potential impacts to white-tailed kites and other nesting raptors, mitigation (MM-BIO-4) would be implemented if construction is scheduled to occur during the nesting season. With the implementation of MM-BIO-4 the potential impact to this species and other raptors would be less-than-significant.

Western yellow-billed cuckoo *(Coccyzus americanusoccidentalis*): The western yellow-billed cuckoo is a state-listed Endangered species. The cuckoo prefers large stands of mature, dense riparian woodland dominated by cottonwood and willows with a dense understory of shrubs and vines. It typically nests in dense willows. The breeding season is May to September (Fix and Bezener 2000, Zeiner et.al.1990) The CNDDB indicates the presence of nests approximately a mile to the south and 1.5 miles to the north.

There is some potential habitat for this species within the patch of mature cottonwood-willow riparian woodland on the south end of the Project. The small size of this patch makes it an unlikely location for a nest, but since few large tracts of habitat exist this site may be used by nesting cuckoos. Construction activity and riparian vegetation removal could lead to significant impacts to this species. Mitigation is presented below (MM-BIO-5) that would reduce impacts to a less-than-significant level when implemented.

Bank swallow (*Riparia riparia*): The bank swallow is a state-listed Threatened species. This colonial species nests along steep vertical banks, cliffs, or bluffs along perennial waters. The bank soil must be soft enough for burrowing (Zeiner et.al. 1990).

The CNDDB indicates the presence of bank swallows approximately 1.5 miles to the north of the Project. There are areas within the Project that could provide suitable habitat for this species. There are incised, eroded banks along portions of the River north of the sandy beach area. Much of this area appears to have fairly dense vegetation, which is not ideal for bank swallows.

Adverse Impacts to this species are not likely since construction is not likely to encroach on the steep bank area of the river. Suggested mitigation presented for protecting aquatic habitat (MM-BIO-2) would reduce potential impacts to a less-than-significant level.

Valley elderberry longhorn beetle (VELB) *(Desmocerus californicus dimorphus*): Habitat consists of blue elderberry (*Sambucus mexicana*) in the Central Valley and Sierra Nevada foothills from approximately 0 to 3,000 feet elevation. Blue elderberry shrubs are often located in riparian corridors in the Sacramento Valley.

During the reconnaissance survey of the site, numerous elderberry shrubs were observed, including some very large, multi-trunked individuals (EN2 2010). The site was subsequently surveyed according to USFWS guidelines (USFWS 1999). Portions of the trail system would pass very close to the shrubs but construction of the trails or other facilities would avoid all direct impacts to elderberry shrubs by maintaining a 20-foot buffer from the dripline of shrubs. Therefore, the project may indirectly impact VELB habitat and VELB but is not expected to casue direct impacts to VELB.

Potential impacts to VELB include accidental removal of shrubs; disturbance of the root system of shrubs during construction; trimming or pruning of shrubs to create trails; excessive dust covering shrubs as a result of traffic during construction; and on-going impacts associated with maintaining trails and facilities during the life of the Project (pruning and trimming). Mitigation is presented below (MM-BIO-6) which would bring impacts to a less than significant level. In addition, under MM-AQ-2, mitigation is presented for controlling fugitive dust. The contractor would be required to prepare and implement a fugitive dust control plan. This mitigation measure would reduce impacts resulting from construction-traffic-induced dusting of shrubs.

b) Less-than-Significant with Mitigation. As described earlier, there is significant riparian habitat within the Project footprint. The Project is within the floodplain of the Feather River and a majority of the site contains riparian vegetation. There are multiple riparian vegetation communities within the Project area. These communities include Great Valley Cottonwood Riparian Forest, Mixed Riparian Forest, and Mixed Willow Scrub.

Constructing trails suitable for bike passage and walking would require removing some riparian vegetation and pruning back overhanging branches. A sixteen-foot wide swath of vegetation would be cleared to construct bike trails, boardwalks, and bike/pedestrian trails. Vegetation along walking trails would be cleared to a width of 10 feet. An area of approximately 600 square feet would be cleared for the beach access area. Approximately 1.47 acres would be cleared for the two parking areas, consisting of mostly blackberry scrub (north lot) and willow scrub (south lot). The Project would not result in the removal of any trees greater than 6-inch diameter at breast height (DBH). All elderberry shrubs in riparian areas would be avoided or USFWS-approved mitigation would be implemented (MM-BIO-6).

As described in the Project Description, the City would prepare a native plant revegetation plan. Following the construction of trails and other facilities, native trees and other native herbaceous vegetation would be planted in areas where riparian vegetation has been disturbed. Mitigation is presented below (MM-BIO-7 and 9) that would reduce this impact to a less-than-significant level.

c) Less-than-Significant with Mitigation. The site was surveyed for wetlands in February 2010 using the Army Corps of Engineer's guidelines for delineating wetlands and waters of the U.S. Along with the ordinary high water mark (OHWM) of the Feather River, several ephemeral drainages, a pond, and a backwater channel were identified in this survey (Figure 3. Biological Resources).

In the late 1960s, the City of Yuba City built a series of sewage lagoons within the Feather River flood plain north of what was then Willow Island and partly within the current Project boundary. The old lagoons were abandoned in the late 1970s but the 6-8' retention embankments and piping infrastructure were left in place. The old sewage lagoons were evaluated during the wetland delineation and determined to be areas of temporary, periodic flooding reverting to riparian habitat, not wetlands.

Construction associated with the Project could lead to adverse impacts to some wetlands and waters of the U.S. The driveway leading to the southern parking lot would require installation of a culvert over an ephemeral drainage. The proposed trails would not cross any wetlands or other waters; however, sections of the trail would be near wetlands and other waters and construction could lead to indirect impacts from sedimentation or construction-related pollution. The beach landing at the terminus of the boardwalk would be constructed outside the OHWM of the river and would not require any fill within the river. However, if any of the Project components, including the beach landing, is constructed within any surface waters at the site, mitigation measures described in Section 2.4.9, Hydrology (MM-HYD-2 and MM-HYD-3) would be implemented.

Mitigation is presented below (MM-BIO- 1, 2, 8) and in Section 2.4.9, Hydrology (MM-HYD-1 through 4) that would bring potential impacts to wetlands to a less-than-significant level.

d) Less-than-significant. Riparian corridors are typically used by a variety of wildlife species for movement between habitat patches, especially within urban environments. Any project that involves construction and placement of permanent facilities in a riparian corridor has the potential to impact wildlife movement. This is particularly the case when new trails or other facilities are put in a previously undisturbed area. Negative impacts on wildlife associated with recreation trails are described in Boyle and Samson 1985, Fletcher et.al. 1999, Miller et.al. 2001, and Quinn 2006.

Impacts include changes in the use of these areas by wildlife, both temporally and spatially; effects on various wildlife as a result of off-trail use by people; effects from dogs, leashed and unleashed (flushing hiding animals); effects on nesting birds (reduced nest numbers and success); and reduction in raptor presence. All of these impacts could be relevant to this site; however, this site is already heavily used by people so impacts to wildlife are not likely to increase beyond existing levels.

This Project site is heavily used by a homeless community. During field surveys at least 13 encampments were identified. Some of these encampments were very large with multiple individuals occupying each site. Large heaps of garbage dispersed across the site probably attract a subset of wildlife at the expense of other species, less tolerant of human activity. This population of people coming and going (with their un-leashed dogs in some cases) has already significantly disturbed wildlife movement patterns in the area. In addition, un-regulated recreationists use this site as evidenced by dirt bike trails and tracks observed at several locations. These existing impacts are much greater than what would occur with the recreational use proposed under this Project.

The proposed Project would likely increase the ability of wildlife to move along the river, providing a positive impact to wildlife movement and use. The Project Description includes rules and signage that would require recreation facility users to remain on designated trails and overnight camping would not be allowed. Eliminating camping would make the site more usable for nocturnal animals that may avoid the site now. In addition, dogs would have to be leashed, unless within the enclosed unleashed dog area, making them less likely to flush wildlife from areas of cover. The City of Yuba City Public Works Department would be responsible for patrolling and enforcing the rules associated with use of the site. Furthermore, the proposed restoration of the site using native riparian vegetation following construction would provide additional habitat and cover for wildlife.

A large number of fish and other aquatic species move up and down the Feather River. Neither construction nor operation of this Project is expected to affect the movement of fish and aquatic species in the river.

e) Less-than-Significant with Mitigation. Section 8.4 of the City's General Plan contains policies related to the protection of biological resources (CYC 2004). Several valley oaks exist within the Project area. These trees along with other native tree species would be preserved during construction and incorporated into the park aesthetic in accordance with implementing policy 8.4-I-2 of the General Plan (2004). Trees would be tagged, perimeters established around each tree, and surrounding soil would remain undisturbed where feasible to protect the root structure and minimize impact. Mitigation is presented below (MM-BIO-9) that would help the project

comply with Policy 8.4-I-2 of the General Plan regarding the preservation of native trees.

Policy 8.4-I-5 requires establishment of wildlife corridors in accordance with the Feather River Strategic Plan. Section (d) above deals with wildlife movement and discusses how the Project could enhance wildlife movement through the area. The Project would not conflict with General Plan Policy 8.4-I-5.

f) No Impact. There are currently no Natural Community Conservation Plans (NCCPs)or Habitat Conservation Plan (HCPs) in Sutter County; however, the Yuba-Sutter NCCP/HCP is under development. The NCCP/HCP is designed to address the environmental impacts of regional traffic projects for Sutter and Yuba Counties.

Mitigation Measures

To mitigate the above discussed potentially significant impacts to special-status species, sensitive habitats, and other biological resources, the City would implement the mitigation measures presented below to reduce the potential impacts to biological resources to a less-than-significant level.

Special Status Species:

- **MM-BIO-1 (All Sensitive Habitats and Species): Avoid disturbances to sensitive habitats, habitats that support special-status species and special-status species.**
  The City will provide a qualified biologist to monitor construction activities during clearing and grading activities within sensitive habitat to ensure compliance with these mitigation measures and implementation of other mitigation associated with state and federal permits. The biologist will provide environmental training to construction personnel prior to the start of construction activities. This training will include information about the special-status species that may occupy the site and sensitive habitats on-site and regulations associated with these species and habitats.

- **MM-BIO-2 (Fish and other aquatic species): Avoid riverine and other aquatic habitat with a minimum 25-foot buffer.**
  Riverine habitat will be avoided with a buffer of 25 feet (as measured from the OHWM) to minimize disturbances to aquatic habitat as a result of construction-related activity. This boundary will be clearly marked prior to the start of construction and plastic orange construction avoidance fencing would be used where work is to occur in proximity to aquatic habitat.

- **MM-BIO-3 (Western Pond Turtle): Preconstruction surveys for western pond turtles.**
  Western pond turtles may occupy habitat along the Feather River and any ponded water located onsite. A qualified biologist will survey for western pond turtles and

nests prior to beginning ground disturbing activities. If turtles are located then a qualified biologist will relocate turtles to suitable habitat outside of the project area. A qualified biologist will be onsite during ground-disturbing construction activities near the river and pond habitat to remove turtles if necessary.

- **MM-BIO-4 (Raptors): Preconstruction surveys for nesting raptors**
  To mitigate for potential impacts to Swainson's hawk and other raptors, and if construction is scheduled to begin during the nesting period from February 15 to September 15, then the site would be surveyed by a qualified biologist for active nests according to CDFG protocols for this species prior to the start of construction (CDFG 1994). This includes surveying all potential Swainson's hawk nesting sites within 0.5 mile of the proposed area of disturbance for active nests and surveying potential nesting areas within ¼ mile of the Project for other raptors (Cooper's hawk, White-tailed kite). If no active nests are located, then no further mitigation will be required. If an active nest exists, the location will be recorded and reported to the CDFG to determine appropriate buffers and any additional mitigation requirements.

- **MM-BIO-5 (Western Yellow-billed cuckoo): Preconstruction surveys for nesting or resident cuckoos.**
  To mitigate potential impacts to nesting cuckoos, a qualified biologist will complete a survey for nesting cuckoos prior to beginning ground-disturbing construction activities on-site. The survey will include all suitable habitats within 200-feet of the Project boundary. Should cuckoos or active nests of this species be located, the biologist will map the occurrence and notify the CDFG to determine appropriate buffers and any additional mitigation requirements.

- **MM-BIO-6 (VELB): Avoid shrubs with a 100-foot buffer and consult with USFWS on additional mitigation.**
  A survey for elderberry shrubs within the Project boundary has been completed (EN2 2010). The survey was conducted according to guidelines prepared by the USFWS (USFWS 1999). The USFWS requires a 100-foot buffer around elderberry shrubs for a determination of no impact. To avoid any direct impacts to shrubs, ground disturbing activities must not occur within 20 feet of the drip-line of each shrub and must be approved by the USFWS (Rock Montgomery, USFWS, pers. Communication in January 2010).

  The survey results should be used to plan the construction of trails and facilities to avoid these shrubs. If shrubs are accidentally impacted the City will contact USFWS and follow the USFWS guidelines for mitigation to determine necessary mitigation requirements (purchase credits from an approved bank or create an on-site preserve and plant shrubs). The USFWS will be consulted to determine final mitigation requirements and minimum buffers.

- Avoided shrubs will be clearly marked by a qualified biologist and exclusion fencing placed around shrubs and/or shrub clusters to maintain a 20-foot buffer from the drip-line.
- Signs will be posted every 50 feet along the edge of all fenced and avoided shrubs that states: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction.
- Construction around shrubs will be periodically monitored by a qualified biologist.
- Environmental training described in MM-BIO-1 will include specific guidance on VELB requirements.

- **MM-BIO-7 (Riparian Habitat): Avoid and minimize impacts to riparian habitat.**
  To mitigate for impacts to riparian habitat, the construction contractor will avoid and minimize impacts to high quality and sensitive riparian habitat as determined by a qualified biologist. Project designs and construction plans will avoid removing trees over 6 inches in diameter at breast height. The biologist will map and locate sensitive areas using an aerial photograph and identify areas for avoidance fencing. The biologist will periodically monitor construction activities to ensure avoidance of sensitive habitat.

- **MM-BIO-8 (wetlands): Obtain CWA Section 404 permit from the USACE and Section 1600 streambed alteration agreement from the CDFG and implement specific mitigation associated with those permits.**
  To mitigate potential impacts to wetlands, the City will obtain and comply with mitigation measures identified required permits from the USACE, CDFG, and the Regional Water Quality Control Board (RWQCB).

- **MM-BIO-9 (conflict with local policies**): **Complete an arborist survey.**
  The City's General Plan Policy 8.4-I-2 requires the protection of oak trees and other large native trees. To mitigate for potential impacts to oaks or other native trees, an arborist survey will be completed. The arborist survey will document the size and location of native trees over 6 inch DBH in the vicinity of ground disturbing activities. The survey will be performed by a qualified biologist or certified arborist.

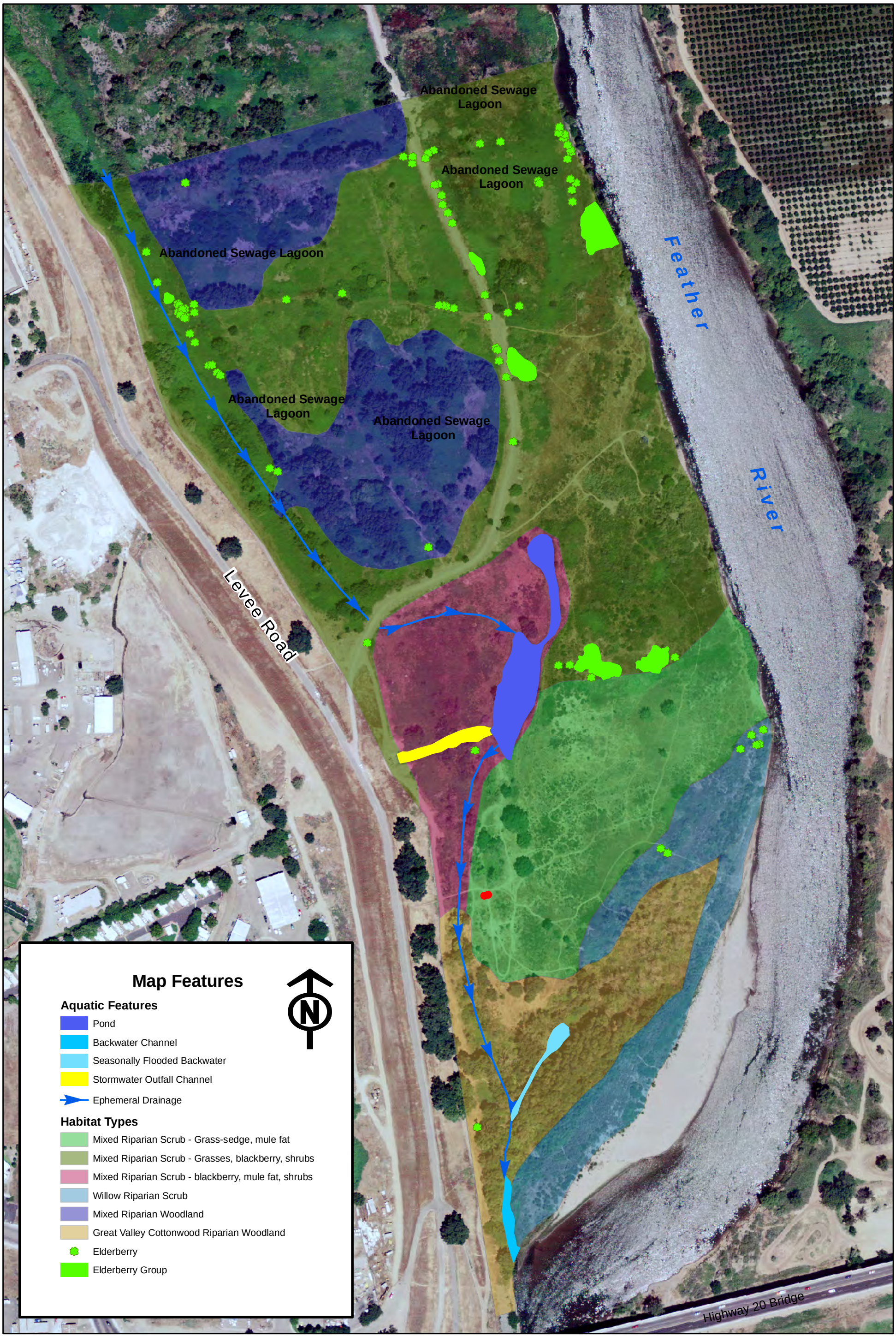
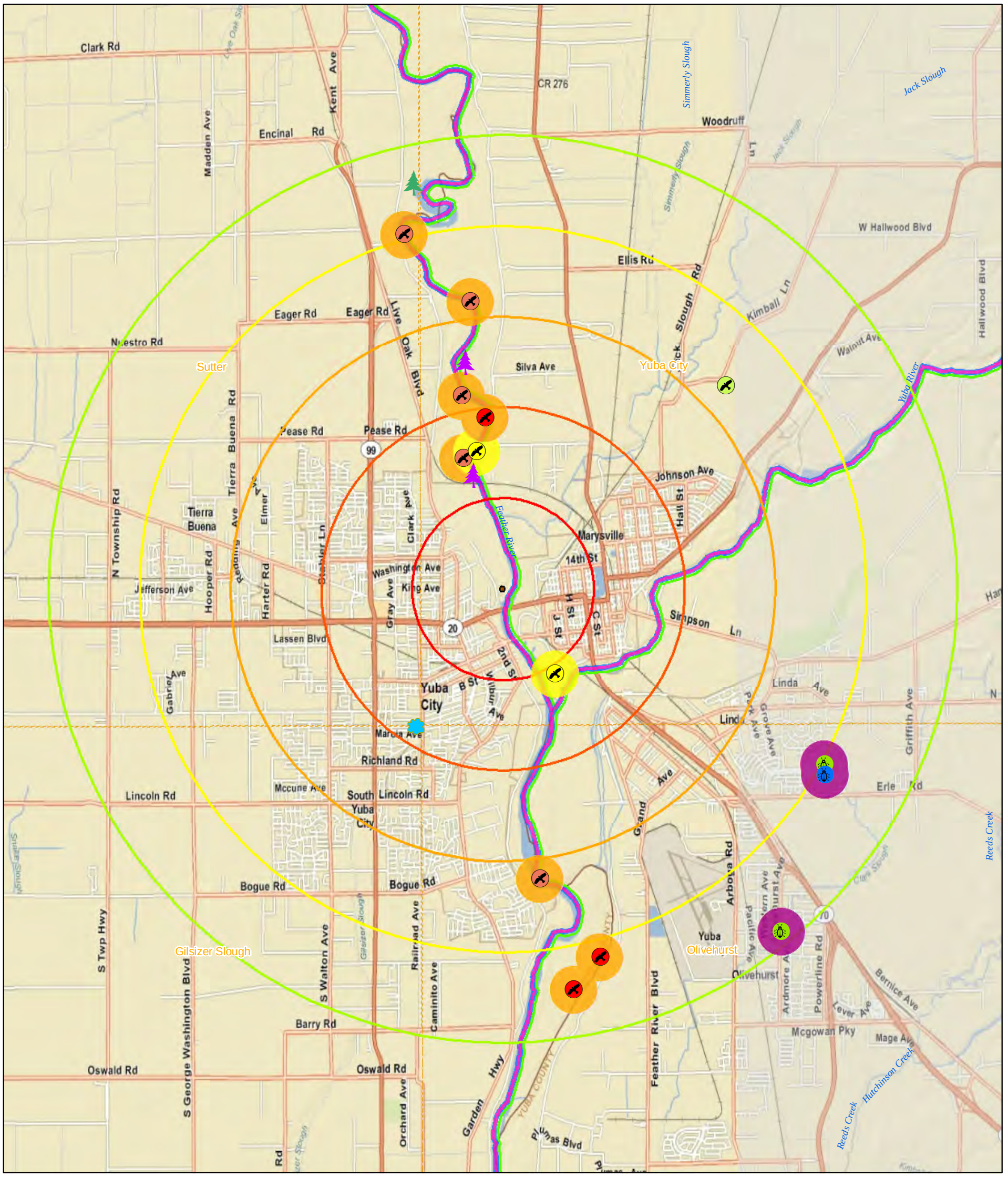


Figure 3. Biological Resources

Willow Island Parkway

03/16/10



CNDDB Occurrences[1]

Miles from project

- 1
- 2
- 3
- 4
- 5

Critical Habitat

- Central Valley Steelhead
- Central Valley Spring-Run Chinook
- USGS Quad Boundary

Common Name

- ABN, Swainson's hawk
- ABN, western yellow-billed cuckoo
- ABP, bank swallow
- ABP, tricolored blackbird
- ICB, California linderiella
- ICB, vernal pool tadpole shrimp
- PDA, Hartweg's golden sunburst
- PDL, veiny monardella
- CTT, Great Valley Cottonwood Riparian Forest
- CTT, Great Valley Mixed Riparian Forest

Endangered, Endangered
Endangered, None
Candidate, Endangered
None, Threatened

Figure 4. CNDDB Occurrences

Willow Island Parkway

NOTES

[1] California Natural Diversity Database, maintained by the CDFG; data from October 2009.

N

1 inch = 1.1 miles

0 1 2 Miles

Date: 02/24/10
Created By: Ethan Koenigs

2.4.5 Cultural Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
CULTURAL RESOURCES: Would the proposed Project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Explanations

a) Less-than-Significant with Mitigation. On November 2, 2009, the Northeast Information Center (NEIC) of the California Historical Resources Information System (CHRIS) conducted a thorough search of their records pertaining to the Project Area of Potential Effect (APE). The record search indicated that cultural resource surveys have not been completed within the Project area, nor have any cultural resources been recorded (NEIC 2009). Additionally, the NEIC recommended that a professional archaeologist be contacted to conduct a cultural resources survey of the Project area.

On February 3, 2010, Past Forward, Inc. (PFI) conducted a pedestrian survey of the Project area. Due to the dense blackberry thickets throughout the site, the survey work was completed by following the various footpaths and roads that crisscross the Project area. Resulting from the survey work, PFI identified one historical resource: an abandoned sewer farm.

Identified during the field survey were a series of small, rectangular ponds from an abandoned Yuba City sewer farm. The sewer farm was operated as part of the City Department of Public Works water treatment plant, which was abandoned in the 1970s. The date of construction is unknown; however, the earliest plans of the site are dated February 1949 (Baxter 2010).

The City would need to complete a historical evaluation to determine eligibility for listing in the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP) of the abandoned sewer ponds, as outlined in MM-CR-1 to minimize potential impacts to historical resources.

b) Less-than-Significant with Mitigation. The survey work completed by PFI on February 3, 2010 resulted in no identified Native American sites at the Project site (Baxter 2010). It is possible that no Native American sites were identified within the Project area because of the inability to visually inspect most of the ground surface due to the dense vegetation, and historic period earth moving activities that would have obliterated surface features reminisce of Native American habitation (Baxter 2010).

The City would require the contractor to implement mitigation measures MM-CR-2 and MM-CR-3 during proposed construction activities to minimize potential impacts to archaeological resources.

c) No Impact. No geologic strata that would contain paleontological resources exist at the Project site.

d) Less-than-Significant with Mitigation. During ground disturbing activities, there is a potential to unearth previously unidentified human remains. To reduce the potential of significantly disturbing or damaging human remains, mitigation measure MM-CR-4 would be incorporated.

Mitigation Measures

- MM-CR-1: Per requirements set forth in Section 106 of the National Historic Preservation Act (NHPA), the City will complete historical evaluations to determine eligibility for listing in the CRHR or the NRHP of the abandoned sewer ponds. If the historical resource is considered ineligible then no further action is required. However, if the historical resource is considered eligible for listing, then additional mitigation measures will be required during implementation of the proposed Project activities.

- MM-CR-2: The contractor will have a qualified professional on-call who will be contacted if, during excavation activities, any of the following or other potential pre-historic/historic materials are unearthed:
  1. Potential human remains;
  2. Former refuse sites or other artifacts; or,
  3. Changes in soil color or composition that could indicate a former occupation site.

- MM-CR-3: As a standard precaution, and as part of the construction contract specifications, if any previously unknown cultural resources are encountered during construction, necessary discovery measures will include:
    1. Shutting down construction activities in the immediate area of a find;
    2. Notifying the City Project Manager;
    3. Continuing work cessation in the project vicinity for a reasonable period of time to allow professional evaluation of finds (Public Resources Code Sections 21083.2, 21084.1, and 21083.1);
    4. If the resources are found to be significant and avoidance is not possible, providing time and funding for professional recovery and analysis of significant archaeological and historical finds (Part V of Appendix K and Public Resources Code Section 21083.2); and,
    5. A pre-construction worker briefing will occur to discuss required mitigation measures if cultural resources are unearthed during implementation of Project activities.

- MM-CR-4: In compliance with the California Health and Safety Code, Section 7050.5(b), if human remains are discovered, excavation will halt in the immediate area and the Sutter County Coroner will be notified. Within 48 hours of notification, the Coroner will determine whether the remains are of Native American descent. If so, the Native American Heritage Commission will be notified within 24 hours, and as required under Public Resources Code, Section 5097.98, the most likely descendants will be notified. Based on the above notifications, measures will be implemented that address the removal and relocation of the remains.

2.4.6 Geology and Soils

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS: Would the proposed Project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Explanations

a) No Impact. The proposed Project would not expose people or structures to potential substantial or adverse effects.

i) The Alquist-Priolo Earthquake Fault Zoning Act's primary purpose is to prevent the construction and occupancy of buildings by humans on active faults. California Geological Survey does not list Sutter County, where the proposed Project site is located, as a county affected by the Alquist-Priolo Earthquake Fault Zone (CDC 1999).

ii) The proposed Project would not expose people or structures to seismic ground shaking. The Project site does not occur in an area of active seismicity and does not include any components that would be habitable by people. The Probabilistic Seismic Hazard Map for the Project indicate that the area has 10% chance of peak ground acceleration of gravity over the course of 50 years (peak acceleration due to gravity-64% is considered severe) (CDC 2010).

iii) The Project would not create ground failure or liquefaction. Given the soil types and depth to bedrock, the ground at the proposed Project site except for the beach area is not prone to liquefaction. In addition, the Project does not involve the construction of structures which would regularly be occupied by people.

iv) With the exception of the levee along the west side of the Project site, the remaining portion of the Project would occur on relatively flat terrain with undulating slopes and man-made berms. The levee is sloped and heavily rip-rapped, and therefore would not expose any people to landslide dangers. There are no Project structures that would be habitable by people.

b) Less-than-Significant with Mitigation. A majority of the Project site is vegetated reducing the potential for heavy soil erosion. Due to the characteristics of the site, flooding can occur in the area and can inundate the Project with low velocity flows in the interior, and higher erosive flows along the edge of the Feather River. These slower flows can deposit soils within the area, mainly within the abandoned sewage lagoons where flow is more restricted.

To reduce the erodability factor of some of the Project components and the surrounding areas, permeable, erosion control materials (i.e., aggregate base material) would be used.

During project construction, specifically grading, there is the potential for substantial erosion due to exposed soils. To mitigate for these impacts and because the proposed Project disturbance would occur to more than one acre of land, the City would be required to apply under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities

(see mitigation measure MM-HYD-1 in the Hydrology and Water Quality Section). The NPDES permit would require the development of a SWPPP that would have a set of BMPs to address erosion and siltation and overall pollutant loads, thereby reducing impacts to below a level of significance.

c) No Impact. The Project site is not located in an area prone to: on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse; nor would construction or activities after construction increase the likelihood of these events.

d) No Impact. The proposed Project site predominantly consists of two soil types: the Holillipah and Shanghai soil series that are found on floodplains and formed in alluvium from mixed sources and have slopes of 0 to 2 percent. The Holillipah series is on the south end of the Project site and consists of stratified very deep, somewhat excessively drained soils while the Shanghai series is on the north end of the Project site and consists of very deep, somewhat poorly drained soils (NRCS 2010). These soils do not have expansive characteristics as defined by Table 18-1-B of the Uniform Building Code.

e) No Impact. Not applicable to the Project site use.

Mitigation Measures

- The mitigation measure for section b) is located in the Hydrology and Water Quality section.

2.4.7 Greenhouse Gas Emissions

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS: Would the Proposed Project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	☐	☐	☒	☐
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Explanations

a) Less-than-significant impact. Short-term, negligible greenhouse gas emissions would result from the construction equipment and worker vehicles. As described in Section 5.0, approximately nine (9) pieces of equipment would be utilized at the Project site during each of the construction activity phases. However, during peak construction periods, all 9 pieces of equipment would not be operating simultaneously. Worker vehicles would also be limited to no more than twenty (20) vehicles, causing a less-than-significant impact to generation of greenhouse gas emissions in the region.

b) Less-than-significant impact. Assembly Bill 32 (AB 32) established legislation in September 2006 for the State of California to combat greenhouse gases and promote the development and use of energy-efficient technologies. In addition, AB 32 established a comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of greenhouse gas emissions. The law requires a reduction of carbon emissions in California to 1990 levels by 2020. CARB is the primary state agency designated to implement the requirements outlined in AB 32.

Project construction and operation activities would be minor and temporary and therefore have minimal effects on AB 32 greenhouse gas emission reduction goals. For Project operations, long-term maintenance activities would require minimal vehicle miles traveled, since the proposed Project maintenance would be incorporated into the existing City Public Works Department's maintenance schedule. In addition, the recreationists' vehicles that would be arriving to and from the Project site would create minor GHG emissions to the air basin. Motorized boats would not be allowed to launch from the beach area, and

motorized vehicles, i.e. all terrain vehicles, would not be permitted at the Project site. Therefore, less-than-significant impacts to greenhouse gases would occur.

Mitigation Measures

- No mitigation is required or warranted.

2.4.8 Hazards and Hazardous Materials

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS: Would the Proposed Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a Proposed Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Proposed Project result in a safety hazard for people residing or working in the Proposed Project area?	☐	☐	☒	☐

f) For a Proposed Project within the vicinity of a private airstrip, would the Proposed Project result in a safety hazard for people residing or working in the Proposed Project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Explanations

a-b) Less-than-Significant with Mitigation. As discussed in Section 4.5 and as part of the restoration process, Himalayan blackberry and wild grape would be removed within the Project footprint area. The removal process may require the need for herbicidal treatment, which may be hazardous. If necessary, herbicidal applications would be completed on an as necessary and infrequent basis. Compliance with mitigation measure MM-HHM-1 would reduce any impacts to people or the environment from the use of herbicides to less-than-significant levels.

As discussed in Section 1.0, the sewage lagoons along the northern portion of the proposed Project site were abandoned in the 1970s, and have the potential to contain toxic/hazardous substances (e.g., heavy metals). Following lagoon abandonment several large flood events have occurred. Per consultation with Central Valley Regional Water Quality Control Board (CVRWQCB) staff, Karen Larson, Senior Environmental Scientist and Betty Yee, Senior Water Resource Control Engineer, it was acknowledged that these flood events combined with the time lapse since lagoon operations have significantly reduced the risk of exposure to these toxins.

Furthermore, the proposed Project would include minimal construction activities on the lagoon's surfaces which would potentially cause the disturbance, airborne migration, and possible exposure of toxins to construction workers or nearby recreationists. Trails constructed on the surface of the sewage lagoon areas would require primarily fill material applications to the pathways to create an even trail surface. The fill material would be soil imported to the site. Therefore, major soil excavation activities would not be required for trail construction activities within the lagoon areas.

To reduce any potential exposure of toxins to construction workers during Project construction, mitigation measure MM-AQ-2 (see Air Quality Section 2.4.3) would be implemented to reduce the exposure of construction workers and recreationists to airborne dust particles. In addition, mitigation measure MM-HHM-2 would be implemented to reduce exposure of construction workers during trail work on the lagoons' surfaces.

If the City proposes to excavate and heavily disturb the sewage lagoons, compliance with mitigation measures MM-HHM-3 and MM-HHM-4 would be performed prior to disturbance, to ensure that people are not exposed to a significant hazard through the accidental release, transport, use, or disposal of hazardous materials. Compliance with the above mitigation measures would ensure less-than-significant impacts to the public or the environment from hazardous materials.

c) No Impact. The nearest school, Bridge Street Elementary, is more than three-quarters of a mile to the southwest of the proposed Project site; therefore, no impacts would occur to the surrounding schools from hazardous materials or hazardous emissions.

d) No Impact. The proposed Project site was not listed on the Hazardous Waste and Substances Sites (Cortese) List developed by the California Department of Toxic Substances Control (DTSC) in accordance with Government Code Section 65962.5 (a).

e) Less-than-Significant. A Comprehensive Land Use Plan (SACOG 1994) was developed for the Sutter County Airport, which is located approximately one mile to the south of the proposed Project site. The Plan identifies policies and guidelines to ensure that the number of people exposed to airport related hazards are reduced. Based on the Plan's policies and guidelines, the proposed Project is not an incompatible land use and is outside of the airport safety zone. Therefore, given the above and that people would be occupying the area for short periods of time either for Project construction or recreational purposes, there would be less-than-significant impacts to people from the exposure to airport safety related hazards.

f) No Impact. There are no private airstrips within the vicinity of the proposed Project. Therefore, there would be no impacts to people working or recreating in the proposed Project area from private airstrip safety related hazards.

g) No Impact. The proposed Project would not interfere with an emergency response or evacuation plan; no impacts would occur.

h) Less-than-significant. The proposed Project is adjacent to the Feather River in an open space area consisting of riparian shrub/tree species and both native and non-native grasses. The proposed Project would not include storing of hazardous/flammable materials on site. Additionally, the site would not contain any structures that would result in a significant risk of loss from wildland fires, and given the intended use of the site for short-term interim recreational purposes, people would not be significantly exposed to the risk of wildland fires resulting in injury or death. Furthermore, the City fire department, which is approximately one mile to the southwest, would have access to all areas of the proposed Project site via the levee, road, and recreational trails. There would be less-than-significant impacts from the exposure of wildland fires to people or structures within the proposed Project area.

Mitigation Measures

- MM-HHM-1: If herbicidal treatment is necessary for vegetation removal, a Pest Control Advisor will be consulted prior to herbicide use to determine safe handling and treatment practices.

- MM-HHM-2: Construction workers will be required to wear a respirator during work activities within the lagoon areas, and follow the Cal/OSHA requirements for worker's use of respirator safety equipment.

- MM-HHM-3: If the sewage lagoons need to be excavated or heavily disturbed, the contents of the sewage lagoon will need to be characterized, which may require a Phase I toxicity report (and Phase II if needed). If the content is determined hazardous (CCR Title 22, Division 4.5) the waste will be disposed of at an approved landfill.

- MM-HHM-4: Personnel transporting and handling hazardous materials (i.e., waste) will follow CDTSC (CCR Title 22, Division 4.5, Chapter 13) and OSHA (CFR Title 29) standards for safe handling and delivery.

2.4.9 Hydrology and Water Quality

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY: Would the Proposed Project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☒	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☒	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☒	☐	☐

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures-to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☒	☐	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Surface Water

The proposed Project site is located within the Sacramento River watershed, the Feather River subshed, within the floodplains along the west bank of the lower Feather River, which consists of the upstream portion of the river at Oroville Dam to its confluence with the Sacramento River. During high river flows the proposed Project site, particularly along the northern portion where remnants of old sewage lagoons remain, is inundated with water.

The proposed Project site was surveyed in February 2010 using the Army Corps of Engineer's guidelines for delineating wetlands and waters of the US. Along with the OHWM of the lower Feather River, several ephemeral drainages, a pond, and a backwater channel were identified (Figure 3. Biological Resources). The sewage lagoons were also evaluated and determined to be areas of temporary, periodic flooding reverting to riparian habitat, not wetlands.

The lower Feather River has been placed on the 303(d) list as a water quality limited segment by the State Water Resources Control Board (SWRCB), which means that the river does not meet water quality standards even after the deployment of pollution control technologies on point-sources. The lower Feather River has been 303(d) listed for the following pollutants: diazinon (priority 1), mercury (priority 2), chloropyrifos (priority 3), and unknown toxicity (priority 3) (SWRCB 2006).

Groundwater

The proposed Project is located within the Sacramento Valley groundwater basin, specifically in the Sutter subbasin. The Sutter subbasin is bounded on the north by the confluence of the Butte Creek and the Sacramento River and Sutter Buttes, on the west by the Sacramento River, on the south by the confluence of the Sacramento River and the Sutter Bypass, and on the east by the Feather River. DWR, Bulletin 118-6, indicates stream

percolation, deep percolation of rainwater, and percolation of irrigation water are the principal sources of groundwater recharge in the Sacramento Valley (CDWR 2006).

Groundwater quality within Sutter County (where the Project is located) ranges from high to low and includes contaminants in some areas resulting from both natural conditions and human influence. Data collected in the 1990s indicated that some wells that are drilled to various depths contain chemicals in amounts that exceed drinking water quality safety and aesthetic standards (CDWR 2006).

Explanations

a) Less-than-significant with Mitigation. The proposed Project would disturb more than one acre of land, including grading for the trails, roads and parking lots. Equipment and material use could release chemicals, including fuels, oils, solvents, and concrete by-products that could be transported into the nearby surface waters, as discussed above, or infiltrate into the groundwater. A drainage swale would be located on the south side of Parking Lot South. The drainage swale would be used to capture and collect storm water runoff from the parking structure allowing for the settling of sediments/heavy metals and other constituents. From the drainage swale the storm water would be diverted into an ephemeral drainage, ultimately discharging into Feather River.

   To reduce any potential impacts from erosion and runoff and to help ensure that surface water quality standards and waste discharge requirements are not violated, mitigation measures MM-HYD-1 would be implemented which would include a set of BMPs to reduce erosion, prevent and reduce chemical spills, and reduce siltation into nearby surface waters.

b) Less-than-Significant. A majority of the proposed Project components would utilize permeable aggregate base material, which would allow for the infiltration of water into the local groundwater aquifer. The proposed Project would not substantially deplete groundwater supplies nor interfere with groundwater recharge; there would be less-than-significant impacts.

c-d) Less-than-Significant with Mitigation. Appropriately sized culverts would be placed where foot bridges and roads would be crossing surface waters to ensure that the existing drainage features are not substantially altered. The beach landing at the terminus of the boardwalk, while near the river would be constructed above the OHWM. However, if any of the Project components, including the beach landing is constructed within any surface waters at the site, mitigation measures MM-HYD-2 and MM-HYD-3 would be implemented.

   Additionally and as discussed above, a majority of the site would utilize permeable aggregate base material allowing for the movement and passage of

water in a manner that would reduce the potential for sheet flooding and erosion of water features. With the implementation of the above, there would be less-than-significant impacts to the existing drainage patterns of the area.

e) Less-than-significant. Currently along the west side of the proposed Project site near the waterward toe of the levee is an outfall structure that conveys storm water from the surrounding area on the west side of the levee into a pond at the Project site. During high flows the storm water collected in the pond would flow into an ephemeral drainage eventually discharging into Feather River at the south side of the Project site.

   A majority of the Project components would utilize permeable aggregate base material, including the parking lot structures, with the exception of the ADA parking that would be paved concrete. Use of the aggregate base material would allow for the infiltration of storm water and allow for the movement and passage of water in a manner that would not significantly increase the rate of runoff or inundate the storm water drainage system.

   Additionally, a drainage swale would be constructed on the south side of Parking Lot South and would allow for the collection of storm water runoff, and the settling of sediments/heavy metals in the swale prior to being diverted into an ephemeral drainage, where the runoff would ultimately be discharged into the Feather River. Given the above, there would be less-than-significant impacts to existing and planned storm water drainage systems, and there would not be substantial additional sources of polluted runoff.

f) Less-than-Significant with Mitigation. Equipment and material use could release chemicals, including fuels, oils, solvents, and concrete by-products that could be transported into the nearby surface waters. Additionally, water quality could be degraded if any of the Project components are shifted and ultimately located within the OHWM of the on-site surface waters. The implementation of mitigation measures MM-HYD-1 and MM-HYD-3 would ensure that water quality is not substantially degraded, and therefore there would be less-than-significant impacts.

g) No impact. The proposed Project is located within the floodplains of the lower Feather River; however, it does not involve the construction of housing or other structures for human habitation. Negligible impacts would occur.

h) No Impact. The proposed Project is located within the floodplains of the lower Feather River; however, it does not involve the construction of major surface structures that would impede or redirect flood flows. No impact would occur.

i) Less-than-significant with Mitigation. The proposed Project would be expanding an existing maintenance road along the waterward toe of the levee on the east side, which would require minor cutting into the levee. To perform this work and to ensure the proposed Project construction would not expose people or structures to a significant risk of loss, injury, or death from levee failure, MM-HYD-4 would be implemented. With the implementation of the above mentioned mitigation measure, impacts would be less-than-significant.

j) No Impact. No conditions exist in the area that would expose the Project to a seiche, tsunami, or mudflow.

Mitigation Measures

- MM-HYD-1: A Notice of Intent to implement the Project under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities will be submitted for approval to the CVRWQCB. An NPDES permit is required when ground disturbing activities occur to more than one acre of land. A SWPPP will be prepared to minimize the mobilization of sediment and other project related pollutants into nearby water bodies, and will include the following BMPs:
    - Enclose and cover exposed soils and other loose construction material that could erode into the waterways;
    - Ensure that no construction material, including soil stockpiles, are directly deposited or placed where it may be transported into a drainage, pond, or the river.
    - Control and contain soil, and filter runoff from disturbed areas with the use of berms, silt fencing, straw bales or wattles, geofabric, catch basins or other erosion control devices to prevent the escape of sediment from disturbed areas.

- MM-HYD-2: If the jurisdictional waters cannot be avoided, then a Clean Water Act Section 404 permit application for discharges of dredge or fill material into waters of the U.S. (i.e., federally jurisdictional wetlands and vernal pools) will be submitted and approved by the U.S. Army Corps of Engineers prior to construction activities.

- MM-HYD-3: If jurisdictional waters cannot be avoided, then a Clean Water Act Section 401 Water Quality Certification application will be submitted and approved by the CVRWQCB prior to construction activities.

- MM-HYD-4: An Encroachment Permit will be submitted for approval from the Central Valley Flood Protection Board prior to construction work within the levee.

2.4.10 Land Use and Planning

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
LAND USE AND PLANNING: Would the proposed Project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

The Project area is located within the incorporated area of Yuba City and on property owned by the City in Sutter County, California. The Project area is situated on the west bank of the Feather River immediately east of a levee that divides the flood plain from Yuba City. The project area falls within an area known as the Feather River Parkway, which extends along the west bank of the Feather River for nearly six miles.

The Project area is zoned Parks, Recreation and Open Space and Flood District (CYC 2004). Nearby zoning on the west side of the levee includes Manufacturing, Processing and Warehousing, Commercial and Office Space, and Public and Semi-Public.

The Project area is situated along the eastern edge of Yuba City and is easily accessible from the downtown district, State Route 20 (near the Feather River Bridge), and Queens Avenue. The Project site currently is used for recreational activities such as walking, sightseeing, bicycling, and uses associated with river access.

Explanations

a) No Impact. The project was designed in accordance with the Feather River Parkway Strategic Plan and the Yuba City General Plan Update of 2004, and would not divide an established community.

b) No Impact. The Feather River Parkway Strategic Plan (CYC 2002) is a comprehensive strategic plan that was developed to establish a framework for improvements for lands on the western bank of the Feather River. The waterfront

area of the Feather River has a large amount of undeveloped open space that is part of the flood plain and is visually inaccessible due to the existing levee; the plan presents a framework of uses for these areas. The plan also addresses issues of waterfront accessibility, park space, recreation, and connections between the waterfront and Yuba City.

The Project is situated within the Master Plan Sub-Area B: South Willow Island of the Feather River Parkway Strategic Plan (Strategic Plan) (CYC 2002). The proposed Project is designed to implement the plans and objectives described in the Strategic Plan, which states:

> This Master Plan Area is envisioned to be a more active recreational area, with a park being the centerpiece for the Plan Area that would include restrooms, picnic areas, tot lots and playgrounds, and open turf areas. Riparian woodlands surround the park and provide a buffer from the beach area, where a proposed boardwalk would extend between the woodlands and the beach. A small beach pavilion is centered on the boardwalk, providing a seating area for pedestrians. A public boat launch is planned on the river at the eastern end of the park.

Though the Strategic Plan states a public boat launch, restrooms, tot-lots, and a playground would be located within this planning area, these facilities would not be a part of the proposed construction activities.

The Yuba City General Plan (2004) is a statement for the direction the City is taking as it grows into the future. The policies presented in the General Plan were developed to ensure that the Strategic Plan would be implemented. The proposed project is designed in accordance with the Yuba City General Plan Policy 6.1-I-10, which states:

- Implement the Feather River Parkway Strategic Plan in a manner consistent with the plans and programs put forth in that document and consistent with policies in the Open Space and Conservation Chapter (Chapter 8). Proposed actions include:
- Improved pedestrian access to the riverfront;
- Provide a mix of active- and non-active recreational and open space in those areas delineated in the Feather River Parkway Strategic Plan; and,
- Ensure that the open spaces proposed in the Feather River Parkway Strategic Plan be designed in a manner flexible enough to accommodate a variety of activities.

The Project is consistent with Article 26 - Flood District of the Yuba City zoning regulations, which allow for the development of recreational facilities within the flood plain (CYC 2004).

c) No Impact. No approved Habitat Conservation Plans have been adopted for the Project area.

Mitigation Measures

- No mitigation is required or warranted.

2.4.11 Mineral Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
MINERAL RESOURCES: Would the Proposed Project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Explanations

a) No Impact. Because mineral resources of value are not known to exist on or immediately adjacent to the Project site, the Project would not affect known mineral resources that could be of value to the region and the residents of the state.

b) No Impact. No mineral resources are identified on local land use plans for areas on or immediately adjacent to the Project site. The Project would not result in the loss of availability of a locally important mineral resource recovery site.

Mitigation Measures

- No mitigation is required or recommended.

2.4.12 Noise

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
NOISE: Would the proposed Project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the proposed Project vicinity above levels existing without the proposed Project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the proposed Project vicinity above levels existing without the proposed Project?	☐	☐	☒	☐
e) For a proposed Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the proposed Project expose people residing or working in the proposed Project area to excessive noise levels?	☐	☐	☒	☐
f) For a proposed Project within the vicinity of a private airstrip, would the proposed Project expose people residing or working in the proposed Project area to excessive noise levels?	☐	☐	☐	☒

According to the City's General Plan (CYC 2004), the major noise sources in Yuba City are related to vehicular traffic on SR 20 and SR 99. Other noise sources include overflights from the Sutter County Airport, railroad, activities, and agricultural operations round the edges of the City. As outlined in the City's General Plan, a change in noise levels would be considered significant if the Project activities were to expose persons to or generate noise levels in excess of the normally acceptable standards of:

- 60 Ay-Night Average Level (L_{dn}) for residential, hotel, motels, schools, libraries, churches, hospitals, and nursing homes;
- 65 L_{dn} for office buildings, business, commercial, libraries, churches, and hospitals;
- 70 L_{dn} for playgrounds and neighborhood parks, golf courses, riding stables, water recreation, and cemeteries and industrial, manufacturing, utilities, and agricultural resources.

Explanations

a) No Impact. The project area and adjacent urban area are divided by an existing levee which would significantly reduce construction noise. Construction noise would be temporary, would occur during the day, and would not expose people to noise levels in excess of standards discussed above as set by the City's General Plan.

b) Less-than-Significant. Power tools and equipment would be utilized during Project construction activities. However, these construction activities would occur during daylight hours and would be temporary. In addition, the existing levee would significantly reduce construction noise. Therefore, it is anticipated that the Project would have less-than-significant impacts to potential groundborne vibration or groundborne noise levels.

c) No Impact. The Project activities would not cause permanent increases in ambient noise levels in the Project vicinity, since motorized boats would not be permitted to launch from the beach area and all terrain vehicles would not be permitted at the Project site.

d) Less-than-Significant. An increase in ambient noise may occur as a result of the Project construction. The Project area and adjacent urban area are divided by an existing levee which would significantly reduce construction noise. Construction noise would be temporary, would occur during the day, and would not expose people to noise levels in excess of the standards set in the City's General Plan.

e) Less-than-Significant. The Sutter County Airport is located approximately 1-mile south of the Project area. The primary use of the airport is for agricultural crop dusting operations, and does not provide commercial airline service. Due to the infrequent use of the airport, there would be less-than-significant impacts to recreationists.

f) No Impact. The project area is not located near a private airstrip.

Mitigation Measures

- No mitigation is required or warranted.

2.4.13 Population and Housing

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
POPULATION AND HOUSING: Would the Proposed Project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☒	☐	☐

No residential homes or developed structures are located within the Project area. The levee creates a barrier from nearby Yuba City and the grown over vegetation below the levee provides isolation and shelter. These conditions, combined with close proximity to services in Yuba City, attract numerous homeless people to the Project area.

Chapter 3 of the Yuba City General Plan-Housing Element (CYC 2004) provides a general description of homelessness in the Yuba City area:

> The causes of homelessness are diverse, but primary contributors include lack of affordable housing, jobs with inadequate wages, substance abuse, mental or physical illness, and domestic violence. There is no official count of homeless people in Yuba City. Specific resources and facilities in Yuba City and Marysville attract persons with different kinds of needs.
>
> The City facilitates the Yuba Sutter Homeless Consortium, a group of representatives from area homeless service providers whose goal is to identify homeless needs in an effort to provide comprehensive services throughout the community. In August and September 2002 the Consortium completed its first trial homeless data collection project that indicated nearly 450 persons who were homeless or at-risk of losing their housing in Yuba and Sutter Counties. The Consortium will resume its homeless data collection in April 2003 and will use the data to plan for adequate services and apply for

additional funds that would be distributed amongst the participants of the Consortium.

Explanations

a) No Impact. The Project would not directly or indirectly induce substantial population growth.

b) No Impact. The Project would not displace existing housing.

c) Less-than-Significant with Mitigation. There are no developed residential or commercial developments within or proposed for the Project area; however, there is an established transient community within the Project area with an estimated population of at least twenty (20) persons. According to the Feather River Parkway Strategic Plan, many homeless people are attracted to the area "for its isolation and for the shelter that the vegetation provides" (CYC 2002). The transient population in the Project area would be displaced as a result of the Project; however, MM-POP-1 would help to reduce the impacts to less-than-significant.

Mitigation Measures

- MM-POP-1: Yuba-Sutter Mental Health Services provides a Homeless Mental Health Program and drop-in center for homeless and those at risk of being homeless. This program provides case management, support and guidance, and telephone use for homeless men and women, and can be utilized to help needy community members find alternative living arrangements. The City of Yuba City will work in cooperation with Yuba-Sutter Mental Health Services and the Homeless Mental Health Program to determine the best method to address the displaced homeless population that may occur as a result of Project implementation.

2.4.14 Public Services

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
PUBLIC SERVICES:				
a) Would the Proposed Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Explanations

a) *Fire protection:* Less-than-significant. The proposed Project would not be storing any flammable materials on-site, and therefore would not significantly increase the potential for a fire to occur within the area. Although occasional fire services may be necessary as a result of recreationist negligence (e.g., littering of cigarettes), construction of additional fire protection facilities would not be necessary. There would be less-than-significant impacts to fire protection services as a result of the proposed Project.

Police protection: Less-than-significant. As discussed in Section 2.4.13 Population and Housing, there is an established transient community within the Project area with an estimated population of at least twenty residents. The transients would need to be relocated prior to Project construction. To ensure the safety of all individuals involved in the relocation process, police protection may be necessary. With the exception of the above, minimal police protection would be required by the proposed Project, and would therefore not require new or

expansion of existing facilities. There would be less-than-significant impacts to police protection services.

Schools: No Impact. The Project would not impact existing school facilities, nor would it contribute to any change in population, traffic circulation, or other land use modifications that would impact the local school district.

Parks: Positive Impact. The proposed Project is expanding the availability of recreational parks within Sutter County, providing both recreational and educational opportunities to the public that would have a positive impact on the community.

Other public facilities: Less-than-significant. The proposed Project would require some additional staff time from the City's Public Works Department, which would be responsible for the overall maintenance of the site. The City is currently working with the CCC for assistance in maintaining the pedestrian and cycling trails, and vegetative habitat within the public access areas on a regular maintenance schedule. CCC assistance would reduce the City's maintenance time, and therefore create less-than-significant impacts to the City's Public Works Department.

Mitigation Measures

- No mitigation is required or recommended.

2.4.15 Recreation

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
RECREATION:				
a) Would the proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the proposed Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☒	☐	☐

The proposed Project is located within the incorporated area of Yuba City along the west bank of the Feather River. The Feather River marks the eastern boundary of the Project area and a levee marks the western boundary. The northern boundary consists of open space and the southern boundary is marked by the Feather River Bridge (also known as 10th Street Bridge).

The Project area comprises former City sewage lagoons that are overgrown with vegetation, open spaces, a sandy beach near the river front, and a pond area that was once the river channel. An existing paved bicycle trail is located on top of the levee and a system of undeveloped, native surface trails are dispersed throughout the proposed project area.

The Project area is situated along the eastern edge of Yuba City and is highly accessible from the downtown district. Due to the close proximity to high density populations and accessibility, the Project site is currently used for a variety of recreational activities such as walking, sightseeing, bicycling, and uses associated with river access.

Explanations

a) No Impact. The Project is designed in accordance with the Yuba City General Plan Update (CYC 2004) and the Feather River Parkway Strategic Plan (CYC 2002). The Project is designed to meet current recreational demands and would include pedestrian and cycling trails, public parking, a roadway, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. The Project would either reduce or have no effect on the demand and use of nearby neighborhoods, regional parks, and other recreational facilities.

b) Less-than-Significant with Mitigation. As indicated above, the Project would include pedestrian and cycling trails, public parking, an improved roadway, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. These improvements may result in short-term impacts to the environment; however, the proposed mitigation described in the Biological Resources section of this document (see MM-BIO-1 through MM-BIO-9) would reduce these impacts to less-than-significant.

There may also be short-term impacts to recreationists displaced during construction; however, these potential impacts are considered minor compared to the long term benefits due to recreational improvements resulting from the Project.

Mitigation Measures

- Mitigation measures for section b) are located in the Biological Resources section.

2.4.16 Transportation and Traffic

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
TRANSPORTATION AND TRAFFIC: Would the Proposed Project:				
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Explanations

a) Less-than-Significant. Use of the proposed Project facilities would generally take place during the weekday afternoon and evening, and on weekends. Projects similar to the one proposed typically generate only a small number of trips at a given time and would not generally affect the surrounding peak-hour traffic volumes. The roadway improvements as described in Section 4.3 Vehicle Circulation Improvements would meet the California Vehicle Code Standards.

Project activities would generate temporary construction-related traffic, including: 1) passenger vehicles transporting construction and inspection workers to and from the site, and 2) heavy trucks/haulers accessing the site to deliver materials and remove debris. Construction activities that would require the use of heavy equipment would be completed within 3 months between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday excluding holidays.

Because of the temporary nature of Project construction, including vehicle/truck trips and construction duration, and the projected use of the Project site, impacts on traffic volumes and flow would be less-than-significant.

b) Less-than-Significant. Vehicle access to the Project site is located to the west in an area that is used for Manufacturing, Processing, and Warehousing. Von Gelden Way, a local arterial road, connects to the City's Utility Department maintenance road. The surrounding roads are also local arterial roads with the main connector being a minor arterial road, Market Street. State Route 20, immediately south of the Project site could also be used as means of accessing the arterial roads to the Project site.

The designed capacity of Von Gelden Way is adequate to carry the traffic volumes that are generally present in the area, in addition to the small trip-number increase. The proposed Project would generally result in additional trips during the weekday afternoon and evening, and on weekends and not during peak traffic

hours; therefore, the arterial roads would be able to absorb any trips to the proposed Project site. Impacts would be less-than-significant.

c) No Impact. The Project would not affect air traffic patterns.

d) Less-than-significant. The proposed Project would improve existing roads and construct parking facilities, which would include ADA compliant parking. Additionally, safety signage would be strategically placed throughout the Project site to alert all forms of traffic (cars, bikes, and pedestrians) of the proper safety precautions. The roads would be designed to meet the AASHTO Federal Highway Standards and the California Vehicle Code Standards. The proposed Project would improve upon the existing traffic system, substantially increase public safety and, would therefore have less-than-significant impacts.

e) No Impact. The Project would improve emergency vehicle access by improving the existing roads and creating a circular roadway system. There would be no impacts to emergency vehicle access.

f) No Impact. The Project would create various bike and walking trails, and would therefore improve and support alternative modes of transportation. The proposed Project would not conflict with adopted policies, plans, or programs supporting alternative transportation; no impacts would occur.

Mitigation Measures

- No mitigation is required or recommended.

2.4.17 Utilities and Service Systems

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS: Would the Proposed Project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the Proposed Project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the Proposed Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the Proposed Project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Explanations

a) No Impact. The proposed Project would not discharge wastewater, and therefore would not exceed wastewater treatment requirements. No impacts would occur.

b) No Impact. The Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. No impacts would occur.

c) No Impact. A majority of the proposed Project components would be constructed utilizing pervious surface material (aggregate based material) allowing for the infiltration of storm water and therefore storm water conveyance structures would not be necessary. The Project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities. No impacts would occur.

d) No impact. The proposed Project would not require a water supply; therefore, no impacts would occur.

e) No Impact. The proposed Project would not require wastewater treatment; therefore, no impacts would occur.

f) Less-than-significant. During project construction activities, debris, including asphalt and concrete, would be removed by the City from areas where work would occur. The asphalt and concrete material are considered Class III non-hazardous wastes, and would be disposed of at an approved landfill.

Approximately 10 garbage cans would be strategically placed around the proposed Project site. The garbage cans would allow for the proper disposal of waste, most of which would be generated by those recreationists utilizing the 10 picnic tables at the site. The emptying and disposing of the waste in the garbage cans, including the litter around the proposed Project site, would be maintained by the City's Public Works Department, and disposed of at an appropriate landfill. In addition, temporary toilet facilities would be provided for specific City events only.

Given the limited amount of picnic facilities where most waste would be generated, the amount of solid waste generated is anticipated to be minimal, and would therefore have less-than-significant impacts to local landfills.

g) No impact. The proposed Project would comply and would not conflict with any statutes and regulations related to solid waste. No impacts would occur.

Mitigation Measures

- No mitigation is required or recommended.

2.4.18 Mandatory Findings of Significance

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the proposed Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the proposed Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a proposed Project are considerable when viewed in connection with the effects of past proposed Projects, the effects of other current proposed Projects, and the effects of probable future proposed Projects)?	☐	☐	☒	☐
c) Does the proposed Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

The City of Yuba City (City) is proposing to implement recreational improvements and convert the Willow Island area into a river front park. The City received funding for the Project from the State of California Resources Agency, through the Proposition 50 California River Parkways Grant Program/Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. The grant is administered through the Sutter County RCD.

The Project area encompasses approximately 65 acres and would create approximately 2.6 miles of public trails. The Project improvements would include pedestrian and cycling trails, public parking, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. In addition, the Project would include public educational displays and interpretive signage to describe the setting of the viewable habitat, i.e., habitat function, wildlife species, fisheries, the restoration process, regional and state history, the river's significance to the California State Water Project, and its functionality. The proposed pedestrian and cycling trails would connect with the existing levee top bike trail, which would provide a direct link to downtown Yuba City and the remaining Feather River Parkway.

Explanations

a) Less-than-Significant with Mitigation. The proposed Project would have a potentially significant impact on air quality, biological resources, cultural resources, hydrology and water quality, geology and soils, hazards and hazardous materials, population and housing, recreation, and transportation and traffic. These impacts are discussed in detail in the corresponding checklist sections above. In addition to Project design elements, mitigation measures have been incorporated that reduce the significance of potential impacts to a less-than-significant level.

   The potentially significant impacts and proposed mitigation measures are summarized below. The mitigation measures can be reviewed in the attached Mitigation, Monitoring, and Reporting Program (MMRP, Appendix A).

   Air Quality: Short-term, air quality impacts could result from the construction equipment and fugitive dust emissions from proposed Project activities. A portable generator would be utilized during proposed construction activities, and would be required to be registered by the City through CARB prior to use. The City would require the contractor to implement MM-AQ-1 through MM-AQ-2 to reduce potential air quality impacts to less-than-significant.

   Biological Resources: Based on a field reconnaissance survey of the habitat on-site and data from the searches of the CNDDB (all occurrences within 5 miles of the proposed project) and the United States Fish and Wildlife Service (USFWS) database, it was determined that several special-status species may have habitat near the proposed Project. In addition, the Project is within the floodplain of the Feather River, and the Project would result in the clearing of riparian vegetation within the Project footprint area. To mitigate the potentially significant impacts to special-status

species, sensitive habitats, and other biological resources, the City would implement mitigation measures MM-Bio-1 through MM-Bio-9 to reduce the potential impacts to biological resources to a less-than-significant level.

Cultural Resources: On November 2, 2009, the NEIC of the CHRIS conducted a thorough search of their records pertaining to the Project APE. The NEIC recommended that a professional archaeologist conduct a cultural resources survey of the Project area. On February 3, 2010, a pedestrian survey of the Project area was conducted. The survey work identified one historical resource: an abandoned sewer farm. Evaluation of this resource would be completed prior to construction to determine eligibility for listing in the CRHR or the NRHP. Mitigation measures MM-CR-1 through MM-CR-4 are proposed to reduce potential impacts to less-than-significant levels.

Geology and Soils: During project construction, specifically grading, there is the potential for substantial erosion due to exposed soils. To mitigate for these impacts and because the proposed Project disturbance would occur to more than one acre of land, the City would apply under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities. The NPDES permit would require the development of a SWPPP with BMPs to address erosion and siltation and overall pollutant loads. Mitigation measure MM-HYD-1 in the Hydrology and Water Quality Section is proposed to reduce soil erosion impacts to less-than-significant levels.

Hazards and Hazardous Materials: Himalayan blackberry and wild grape would be removed within the Project footprint area. The removal process may require the need for herbicidal treatment. Compliance with mitigation measure MM-HHM-1 would reduce any impacts to people or the environment from the use of herbicides to less-than-significant levels.

In addition, the sewage lagoons along the northern portion of the proposed Project site were abandoned in the 1970s, and have the potential to contain toxic/hazardous substances (e.g., heavy metals). The proposed Project would be installing a walking and bike trail primarily along the lagoon berms where sewage was not deposited and minimal grading would be required. To reduce any potential exposure of toxins to construction workers during project construction, mitigation measures MM-AQ-2 (see Air Quality Section 2.4.3) and MM-HHM-2 would be implemented to reduce the exposure of construction workers and nearby citizens to airborne dust particles. If the City proposes to excavate and heavily disturb the sewage lagoons, compliance with mitigation measures MM-HHM-3 and MM-HHM-4 would be required prior to implementation of the construction activities, to reduce potential impacts from exposure to hazardous materials to less-than-significant levels.

Hydrology and Water Quality: The proposed Project would disturb more than one acre of land, including grading for the trails, roads and parking lots. Equipment and material use could release chemicals, including fuels, oils, solvents, and concrete by-products that could be transported into the nearby surface waters, or infiltrate into the groundwater. Mitigation measures MM-HYD-1 through MM-HYD-3 would help ensure that water quality is not substantially degraded, therefore resulting in less-than-significant impacts.

Population and Housing: There is an established transient community within the Project area with an estimated population of at least twenty (20) persons. The transient population in the Project area would be displaced as a result of the Project; however, mitigation measure MM-POP-1 would help to reduce the impacts to less-than-significant.

Recreation: The Project would include pedestrian and cycling trails, public parking, an improved roadway, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. There may be short-term impacts to recreationists displaced during construction; however, these potential impacts are considered minor compared to the long term benefits due to recreational improvements resulting from the Project. In addition, there is a substantial amount of asphalt, concrete, and debris at the Project Site, and the proposed activities would include City removal of debris from the areas where construction would occur; therefore creating a safer area for recreationists.

b) Less-than-Significant. The proposed Project is located approximately one mile south of the City of Yuba City Fish Screen Project (Fish Screen Project). Implementation of the Fish Screen Project is anticipated to begin in 2010 and would require approximately 12 to 15 months to complete (CYC 2009). The proposed Project and the Fish Screen Project construction activities would occur simultaneously; however, because: both projects would mitigate potential impacts to below a level of significance; are separated by approximately a one mile distance; would utilize different access roads for construction, operation, and maintenance activities at each of the sites; and the type of impacts are different, i.e., the Fish Screen Project impacts are primarily to water quality and aquatic biological resources, and the proposed Project impacts are primarily terrestrial biological resources, the projects' impacts within the geographic area would not be cumulatively considerable.

c) Positive Impact. As described above, the proposed Project would provide recreational opportunities in a park setting while incorporating educational exhibits and interpretive displays to educate park users on the ecological significance of the surrounding environment. Implementation of the proposed Project also would be a positive impact for the public by increasing recreational opportunities to improve the quality of life with pedestrian and cycling trails, picnicking areas, Feather River viewing areas, and a boardwalk leading to a beach area.

3.0 Determination

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

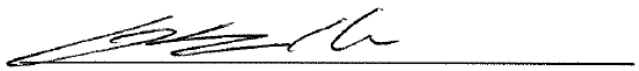
☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the proposed Project have been made by or agreed to by the proposed Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed Project MAY have a significant effect on the environment, and an EIR is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.



Signature

3/16/10

Date

George Musallam, Director
City of Yuba City, Public Works Department

4.0 Acronyms

AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
APE	Area of Potential Effect
AB 32	Assembly Bill 32
BMPs	Best Management Practices
CARB	California Air Resources Board
CCC	California Conservation Corps
CDFG	California Department of Fish and Game
DTSC	California Department of Toxic Substances Control
CEQA	California Environmental Quality Act
CHRIS	California Historical Resources Information System
CNPS	California Native Plant Society
CNDDB	California Natural Diversity Database
CRHR	California Register of Historical Resources
CWQCB	California Water Quality Control Board
CO	carbon monoxide
CVRWQCB	Central Valley Regional Water Quality Control Board
DBH	diameter at breast height
EPA	Environmental Protection Agency
FRAQMD	Feather River Air Quality Management District
GGS	giant garter snake
HCP	Habitat Conservation Plan
H2S	hydrogen sulfide
IS	Initial Study
LEED	Leadership in Environmental and Energy Design
MND	Mitigated Negative Declaration
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NCCP	Natural Community Conservation Plan
NO2	nitrogen dioxide
NEIC	Northeast Information Center
NHPA	National Historic Preservation Act
NSVAB	Northern Sacramento Valley Air Basin
OHWM	ordinary high water mark
PFI	Past Forward, Inc
PG&E	Pacific Gas & Electric Company
PM	particulate matter
PCA	Pest Control Advisor
RWQCB	Regional Water Quality Control Board
RCD	Resource Conservation District
SWRCB	State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan

SO2	sulfur dioxide
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
VELB	Valley elderberry longhorn beetle

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Appendix A

Mitigation Monitoring and Reporting Program

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance		
				Initials	Date	Remarks
MM-AQ-1:	To reduce construction equipment emissions, the City will comply with the following BMP measures during Project implementation: • Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions Limitations (40% opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a Notice of Violation from the FRAQMD. • The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained prior to and for the duration of the on-site operation. • Idling time shall be minimized to 10 minutes to save fuel and reduce emissions. Implementation of the above BMP measures will ensure less-than-significant impacts to air quality standards for construction equipment emissions during implementation of the Project.	During Project construction activities	Contractor			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
MM-AQ-2:	To reduce fugitive dust emissions and minimize PM10 impacts on air quality, the City will comply with the FRAQMD Fugitive Dust Rule 3.1. The City will require the contractor to submit for approval a Fugitive Dust Plan (Plan) to the FRAQMD, and implement the required BMP measures outlined in the Plan. The required BMP measures to be applied during the grading and earthmoving phases of work will include the following: • During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by regular watering, paving of construction roads, or other dust-preventive measures. • All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day. • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 20 miles per hour (mph) averaged over 1 hour. • All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of	Prior to Project operations	City			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
	dust. • The area disturbed by clearing, grading, earth-moving, or excavation operations shall be minimized at all times. • Portions of the construction site to remain inactive longer than a period of 3 months shall be seeded and watered until grass cover is grown. Implementation of the above BMP measures will ensure less-than-significant impacts to air quality standards for fugitive dust during implementation of the Project.					
MM-BIO-1:	The City will provide a qualified biologist to monitor construction activities during clearing and grading activities within sensitive habitat to ensure compliance with these mitigation measures and implementation of other mitigation associated with state and federal permits. The biologist will provide environmental training to construction personnel prior to the start of construction activities. This training will include information about the special-status species that may occupy the site and sensitive habitats on-site and regulations associated with these species and habitats.	Prior to Project construction activities	City			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance		
				Initials	Date	Remarks
MM-BIO-2:	Riverine habitat will be avoided with a buffer of 25 feet (as measured from the OHWM) to minimize disturbances to aquatic habitat as a result of construction-related activity. This boundary will be clearly marked by a qualified biologist and plastic, orange construction avoidance fencing will be used where work is to occur in proximity to aquatic habitat. In constructing the beach landing area, the 25-foot buffer can be reduced under the supervision of the qualified biologist.	During Project construction activities	City			
MM-BIO-3:	Western pond turtles may occupy habitat along the Feather River and any ponded areas located onsite. A qualified biologist will survey for western pond turtles and nests prior to ground disturbing activities. If turtles are located, then a qualified biologist will relocate turtles to suitable habitat outside of the project area. A qualified biologist will be onsite during construction near the river and other suitable habitat to remove turtles if necessary.	Prior to and during Project construction activities	City			
MM-BIO-4:	To mitigate for potential impacts to Swainson's hawk and other raptors, a preconstruction nesting survey will be completed. If construction is scheduled to occur during the nesting period from February 15 to September 15, then the site will be surveyed by a	During Project construction activities	City			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
	qualified biologist for active nests according to CDFG protocols for this species prior to the start of construction. This includes surveying all potential Swainson's hawk nesting sites within 0.5 mile of the proposed area of disturbance for active nests and surveying potential nesting area within ¼ mile of the Project for other raptors (Cooper's hawk, White-tailed kite). If no active nests are located, then these findings will be submitted to the City and no further mitigation will be required. If an active nest exists, the location will be recorded and reported to the CDFG to determine appropriate buffers and any additional mitigation requirements.					
MM-BIO-5:	To mitigate potential impacts to nesting cuckoos, a qualified biologist will complete a survey for nesting cuckoos prior to beginning any construction on-site. The survey will include all suitable habitats within 200-feet of the Project boundary. The biologist will consult CDFG biologists to determine appropriate survey protocols. It may be necessary to perform the survey using recorded calls of the cuckoo to illicit a response. Should cuckoos or an active cuckoo nest be located, the biologist will map the occurrence and notify the CDFG to determine appropriate buffers and any additional mitigation requirements.	Prior to and during Project construction activities	City			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
MM-BIO-6:	A survey for elderberry shrubs within the Project boundary has been completed. The survey was conducted according to guidelines prepared by the USFWS (USFWS 1999). If shrubs cannot be avoided then the guidelines should be followed to determine necessary mitigation requirements (purchase credits from an approved bank or create an on-site preserve and plant shrubs). The USFWS will be consulted to determine exact mitigation requirements and minimum buffers. • Avoided shrubs will be clearly marked by a qualified biologist and exclusion fencing placed around shrubs and/or shrub clusters. • Construction around shrubs will be monitored by a qualified biologist. • Environmental training described in MM-BIO-1 will include specific guidance on VELB requirements.	Prior to and during Project construction activities	City			
MM-BIO-7:	To mitigate for impacts to riparian habitat, the construction contractor will avoid and minimize impacts to the areas of high quality or sensitive riparian habitat as determined by a qualified biologist. Project designs and construction plans will avoid removing trees over 6 inches in diameter at breast height. The biologist will map and locate	Prior to and during Project construction activities	City			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
	sensitive areas using an aerial photograph and identify areas for avoidance fencing. The biologist will monitor construction activities to ensure avoidance of sensitive habitat.					
MM-BIO-8:	To mitigate potential impacts to wetlands the City will obtain required permits from the Corps, CDFG, and the RWQCB. The City will implement any additional mitigation measures identified in those permits to mitigate impacts to wetlands.	Prior to and during Project construction activities	City			
MM-BIO-9:	The City's General Plan Policy 8.4-I-2 requires the protection of oak trees and other large native trees. To mitigate for potential impacts to oaks or other native trees, an arborist survey will be completed. The arborist survey will document the size and location of native trees over 6 inch DBH in the vicinity of ground disturbing activities. The survey will be performed by a qualified biologist or certified arborist.	Prior to Project construction activities	City			
MM-CR-1:	Per requirements set forth in Section 106 of the NHPA, the City will complete a historical evaluation to determine eligibility for listing in the CRHR or the NRHP of the abandoned sewer ponds. If the historical resource is considered ineligible then no further action is required. However, if the historical resource	During Project construction activities	City			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
	is considered eligible for listing, then additional mitigation measures will be required during implementation of the proposed Project activities.					
MM-CR-2:	The contractor will have a qualified professional on-call who will be contacted if, during excavation activities, any of the following or other potential pre-historic/historic materials are unearthed: 6. Potential human remains; 7. Former refuse sites or other artifacts; or, 8. Changes in soil color or composition that could indicate a former occupation site.	During Project construction activities	Contractor			
MM-CR-3:	In compliance with the California Health and Safety Code, Section 7050.5(b), if human remains are discovered, excavation will halt in the immediate area and the County Coroner will be notified. Within 48 hours of notification, the Coroner will determine whether the remains are of Native American descent. If so, the Native American Heritage Commission will be notified within 24 hours, and as required under Public Resources Code, Section 5097.98, the most likely descendants will be notified. Based on the above notifications, measures will be implemented that address the removal and relocation of the remains.	During Project construction activities	Contractor			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance		
				Initials	Date	Remarks
MM-CR-4:	In compliance with the California Health and Safety Code, Section 7050.5(b), if human remains are discovered, excavation will halt in the immediate area and the Sutter County Coroner will be notified. Within 48 hours of notification, the Coroner will determine whether the remains are of Native American descent. If so, the Native American Heritage Commission will be notified within 24 hours, and as required under Public Resources Code, Section 5097.98, the most likely descendants will be notified. Based on the above notifications, measures will be implemented that address the removal and relocation of the remains.	During Project construction activities	Contractor			
MM-HHM-1:	If herbicidal treatment is necessary for vegetation removal, a Pest Control Advisor will be consulted prior to herbicide use to determine safe handling and treatment practices.	Prior to and during Project construction activities	City			
MM-HHM-2:	Construction workers will be required to wear a respirator during work activities within the sewage lagoon areas, and follow the Cal/OSHA requirements for worker's use of respirator safety equipment.					

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
MM-HHM-3:	If the sewage lagoons need to be excavated or heavily disturbed, the contents of the sewage lagoon will need to be characterized, which may require a Phase I toxicity report (and Phase II if needed). If the content is determined hazardous (CCR Title 22, Division 4.5) the waste will be disposed of at an approved landfill.	Prior to and during Project construction activities	City			
MM-HHM-4:	Personnel transporting and handling hazardous materials (i.e., waste) will follow CDTSC (CCR Title 22, Division 4.5, Chapter 13) and OSHA (CFR Title 29) standards for safe handling and delivery.	During Project construction activities	Contractor			
MM-HYD-1:	A Notice of Intent to implement the Project under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities will be submitted for approval to the CVRWQCB. An NPDES permit is required when ground disturbing activities occur to more than one acre of land. A SWPPP will be prepared to minimize the mobilization of sediment and other project related pollutants into nearby water bodies, and will include the following best management practices: • Enclose and cover exposed soils and other loose construction material that could erode into the waterways; • Ensure that no construction material,	Prior to and during soil excavation activities	Contractor			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance Initials	Date	Remarks
	including soil stockpiles, are directly deposited or placed where it may be transported into a drainage, pond, or the river. • Control and contain soil, and filter runoff from disturbed areas with the use of berms, silt fencing, straw bales or wattles, geofabric, catch basins or other erosion control devices to prevent the escape of sediment from disturbed areas.					
MM-HYD-2:	If the jurisdictional waters cannot be avoided, then a Clean Water Act Section 404 permit application for discharges of dredge or fill material into waters of the U.S. (i.e., federally jurisdictional wetlands and vernal pools) will be submitted and approved by the U.S. Army Corps of Engineers prior to construction activities.	Prior to and during soil excavation activities	Contractor			
MM-HYD-3:	If jurisdictional waters cannot be avoided, then a Clean Water Act Section 401 Water Quality Certification application will be submitted and approved by the Central Valley Regional Water Quality Control Board prior to construction activities.	Prior to and during soil excavation activities	Contractor			

Number	Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance		
				Initials	Date	Remarks
MM-HYD-4:	An Encroachment Permit will be submitted for approval from the Central Valley Flood Protection Board prior to construction work within the levee.	Prior to and during soil excavation activities	Contractor			
MM-POP-1:	Yuba-Sutter Mental Health Services provides a **Homeless Mental Health Program** and drop-in center for homeless and those at risk of being homeless. This program provides case management, support and guidance, and telephone use for homeless men and women, and can be utilized to help needy community members find alternative living arrangements. The City of Yuba City will work in cooperation with Yuba-Sutter Mental Health Services and the Homeless Mental Health Program to determine the best method to address the displaced homeless population that may occur as a result of Project implementation.	Prior to Project construction activities	City			

CITY OF YUBA CITY
DRAFT STAFF REPORT

Date: May 18, 2010

To: Honorable Mayor & Members of the City Council

From: Public Works Department

Presentation By: George Musallam, Public Works Director

Subject: Adopt the Initial Study/Mitigated Negative Declaration (IS/MND) for the Feather River Parkway: Willow Island Recreation project.

Recommendation: Staff recommends that Council adopt the Mitigated Negative Declaration for the project.

Fiscal Impact: Adoption of the Initial Study/Mitigated Negative Declaration will have no fiscal impact; however, failure to adopt the IS/MND will delay the project and potentially jeopardize the Grant funding.

Background:

In 2002, the City of Yuba City completed the Feather River Parkway Strategic Plan in an effort to utilize approximately 172 acres of City property referred to as "Willow Island" along the Feather River north of the Hwy. 20/10th Street Bridge.

Since November 2006, the City of Yuba City Parks and Recreation Department has been working with the Sutter County Resource Conservation District (SCRCD) to obtain funding (River Parkways Grant Program – Proposition 50) to implement the Feather River Parkway Strategic Plan.

The City of Yuba City was granted $1,400,000 from the Resources Agency's California River Parkways Grant Program to fund the first phase (approx. 69 acres) of the Willow Island Project and is in the process of obtaining and additional $1,716,000 for Phase II funding.

The Project would implement recreational improvements and convert the Willow Island area into a river front park. With design currently at 80% completion, the Project improvements would include pedestrian and cycling trails, public parking, a pavilion, picnic areas, field sport areas, boardwalk, and beach landing. In addition, the Project would include public educational displays and interpretive signage to describe the setting of the viewable habitat, i.e., habitat function, wildlife species, fisheries, the restoration process, regional and state history, the river's significance to the California State Water Project, and its functionality.

Environmental Determination:

To meet the requirements of the California Environmental Quality Act (CEQA), the City enlisted the services of Domenichelli & Associates and their sub-consultant, EN2, to prepare an Initial

Study/Mitigated Negative Declaration to assess the potential adverse environmental effects of the proposed project. It was determined that some environmental effects could potential occur from project implementation in the areas of biological resources; geology and soils; and hydrology. Staff and the project consultants have worked closely with all regulatory agencies involved in the permitting process including: Levee District 1, Army Corp of Engineers, CA Dept. of Fish and Game, Fish and Wildlife, National Marine Fisheries Services and Central Valley Regional Water Quality Control Board. Mitigation measures addressing their comments/concerns have been identified and incorporated into the project to order to reduce potential impacts.

A draft Initial Study/Mitigated Negative Declaration (IS/MND), was prepared and filed with the State Clearinghouse (SCH # 2010032063) on March 17, 2010 and the Sutter County Clerk on March 18, 2010. The draft IS/MND was circulated for public review March 18, 2010 through April 16, 2010. No comments were received during the public review period. Staff review comments were addressed and have been included in the final IS/MND; therefore, staff recommends the City Council of the City of Yuba City adopt the final version of the Mitigated Negative Declaration*.

**The Initial Study / Mitigated Negative Declaration is available for review in the Public Works Department.*

Fiscal Impact: Adoption of the Initial Study/Mitigated Negative Declaration will have no fiscal impact; however, failure to adopt the IS/MND will delay the project and potentially jeopardize the funding. One of the conditions of the Grant is that the project be complete no later than May 1, 2011; therefore, given the type of construction and potential weather impacts, it is imperative that construction commence by late summer 2010.

Alternatives: Do not adopt the IS/MND.

Recommendation: Staff recommends that Council adopt the Mitigated Negative Declaration for the project.

Prepared By:

Claire Shawver
Construction Project Manager

Submitted By:

Steven R. Jepsen
City Manager

Reviewed By:

Department Head	GM
Finance	MB
City Attorney	
Other: (Name, Title)	